
A BILL FOR AN ACT

RELATING TO ENHANCED PENALTIES FOR SECURITIES VIOLATIONS
COMMITTED AGAINST ELDERS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 485, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§485- Additional administrative penalties for
5 securities violations committed against elders. If a person
6 commits a violation under this chapter and the violation is
7 directed toward, targets, or is committed against a person who
8 at the time of the violation is sixty-two years of age or older,
9 the commissioner, in addition to any other administrative
10 penalty, may impose an administrative penalty not to exceed
11 \$50,000 for each violation; provided, however, this section
12 shall not apply to registered dealers for violations of 485-
13 15(10).

14 §485- Additional civil penalties for securities
15 violations committed against elders. If a person commits a
16 violation under this chapter and the violation is directed
17 toward, targets, or is committed against a person who at the



1 time of the violation is sixty-two years of age or older, a
2 court, in addition to any other civil penalty, may impose a
3 civil penalty not to exceed \$50,000 for each violation;
4 provided, however, this section shall not apply to registered
5 dealers for violations of 485-15(10)."

6 SECTION 2. Chapter 485A, Hawaii Revised Statutes, is
7 amended by adding two new sections to be appropriately
8 designated and to read as follows:

9 **§485A- Additional administrative penalties for**
10 **securities violations committed against elders.** If a person
11 commits a violation under this chapter and the violation is
12 directed toward, targets, or is committed against a person who
13 at the time of the violation is sixty-two years of age or older,
14 the commissioner, in addition to any other administrative
15 penalty, may impose an administrative penalty not to exceed
16 \$50,000 for each violation; provided, however, this section
17 shall not apply to registered broker-dealers for violations of
18 485A-412(d)(9).

19 **§485A- Additional civil penalties for securities**
20 **violations committed against elders.** If a person commits a
21 violation under this chapter and the violation is directed
22 toward, targets, or is committed against a person who at the



1 time of the violation is sixty-two years of age or older, a
2 court, in addition to any other civil penalty, may impose a
3 civil penalty not to exceed \$50,000 for each violation; provided
4 however, this section shall not apply to registered broker-
5 dealers for violations of 485A-412(d)(9)."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect upon its approval;
8 provided that section 2 shall take effect on July 1, 2008.



Report Title:

Violations against elders

Description:

Adds enhanced civil and administrative penalties for securities violations committed against elders. (HB1306 HD1)

