

Honolulu, Hawaii

January 30, 2008

RE: H.B. No. 2254
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2254 entitled:

"A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS, "

begs leave to report as follows:

The purpose of this bill is to promote fair marketing practices by prohibiting and establishing civil penalties for the deceptive use of the name or trademark of a financial institution, or its affiliates or subsidiaries, in marketing materials and solicitations directed at existing or prospective customers.

The Department of Commerce and Consumer Affairs, Hawaii Financial Services Association, Hawaii Bankers Association, and Mortgage Bankers Association of Hawaii testified in support of this bill.

Your Committee has amended this bill by changing the title of the new statutory section added by this measure, from "Bank name fraud" to "Financial institution name fraud". This amendment clarifies that the scope of the new section includes financial institutions other than banks.



As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2254, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2254, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROBERT N. HERKES, Chair



