

STAND. COM. REP. NO.

293

Honolulu, Hawaii

FEB 14 2007

RE: S.B. No. 1414

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and
Affordable Housing, to which was referred S.B. No. 1414 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT
OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to amend the sentencing of
repeat offender provisions in the penal code to include insurance
fraud offenses found in chapters 386, 431, 432, and 432D, Hawaii
Revised Statutes (HRS).

Testimony in support of this measure was submitted by the
Department of Commerce and Consumer Affairs and the Department of
the Attorney General (AG).

Your Committee finds that the intent of this measure is to
enhance criminal penalties for persons who commit insurance fraud
by including felony insurance fraud as one of the felony
violations that can increase the sentence of a repeat offender.
Specifically, this measure includes workers' compensation, private
health insurance, motor vehicle insurance, mutual benefits
societies, and health maintenance organization fraud penalty
statutes among the list of felonies that triggers the enhanced
sentencing of repeat offenders in section 706-606.5, HRS.

Your Committee, upon recommendation by the AG, has amended
this measure so that the descriptions of the insurance felonies



added to section 706-606.5, HRS, track the statutory language of their respective sections in the HRS.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1414, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Affordable
Housing,


BRIAN T. TANIGUCHI, Chair



