

STAND. COM. REP. NO. 593

Honolulu, Hawaii
MAR 06 2009

RE: S.B. No. 350
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 350 entitled:

"A BILL FOR AN ACT RELATING TO USE OF FORCE,"

begs leave to report as follows:

The purpose of this measure is justify the use of deadly force in a person's dwelling against an intruder if the intruder uses force against the person.

Your Committee received several testimonies in support of this measure and one in opposition. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that the use of deadly force by a person while in a dwelling in which the person has a lawful right to be, against an intruder who has no lawful right to be in the dwelling is sometimes necessary. For example, recent incidents have been reported involving death of property owners in home invasions, which may have been avoided if the owner used deadly force to deter the intruder.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2050 to continue discussions on this matter; and
- (2) Making technical, nonsubstantive amendments.



As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 350, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 350, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

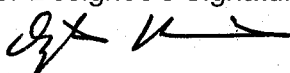


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB350	JGO	3/3/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)		✓		
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	3	1	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes