

Honolulu, Hawaii

February 13, 2014

RE: H.B. No. 2245

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2245 entitled:

"A BILL FOR AN ACT RELATING TO THE PROTECTION OF CHARITABLE ASSETS,"

begs leave to report as follows:

The purpose of this measure is to statutorily establish the authority of the Attorney General's oversight over charitable assets regardless of the form in which they are held.

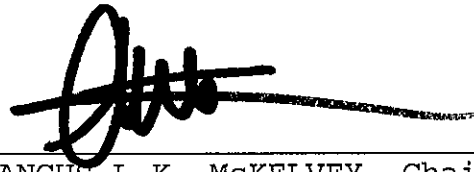
The Department of the Attorney General and the Commission to Promote Uniform Legislation testified in support of the measure.

Your Committee finds that the Attorney General's role in providing oversight of Hawaii's charitable organizations is recognized under common law and through various provisions of the Hawaii Revised Statutes, including but not limited to provisions in chapters 323D, 414D, 431, 467B, 517E, 554, and 554B, Hawaii Revised Statutes. Your Committee also finds that codifying section 3 of the Model Protection of Charitable Assets Act, adopted by the National Conference of Commissioners on Uniform State Laws, will provide certainty that the Attorney General has oversight over charitable assets regardless of the form in which they are held and may investigate breaches of duty, diversions of charitable assets, and intervene in actions for the protection of charitable assets.



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. 2245 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

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



ANGUS L.K. MCKELVEY, Chair



