

Honolulu, Hawaii  
March 4, 2016

RE: H.B. No. 1559  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 1559, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE,"

begs leave to report as follows:

The purpose of this measure is to address issues involving asset forfeiture by, among other things:

- (1) Restricting asset forfeiture to cases involving the commission of a covered criminal misdemeanor or felony offense;
- (2) Providing that seized property is forfeited only when the property owner has been convicted of an underlying covered criminal misdemeanor or felony offense;
- (3) Requiring that the agency seizing the property pay for safe and secure storage of the seized property until the completion of the forfeiture proceeding or final disposition of the property; and
- (4) Repealing administrative forfeiture proceedings.

The Drug Policy Forum of Hawaii and American Civil Liberties Union of Hawaii provided testimony in support of the measure. The City and County of Honolulu Department of the Prosecuting Attorney provided testimony in opposition.

HB1559 HD2 HSCR FIN HMS 2016-2541



Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1559, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1559, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Finance,

  
\_\_\_\_\_  
SYLVIA LUKE, Chair



### Record of Votes of the Committee on Finance

<b>Bill/Resolution No.:</b> HB1559 HD1	<b>Committee Referral:</b> JUD, FIN	<b>Date:</b> 03/03/16
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The committee is reconsidering its previous decision on the measure.

**The recommendation is to:**   
  Pass, unamended (as is)   
  Pass, with amendments (HD)   
  Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)	/			
2. NISHIMOTO, Scott Y. (VC)	/			
3. CACHOLA, Romy M.	/			
4. CULLEN, Ty J.K.	/			
5. DeCOITE, Lynn	/			
6. JOHANSON, Aaron Ling	/			
7. JORDAN, Jo	/			
8. KEOHOKALOLE, Jarrett	/			
9. KOBAYASHI, Bertrand	/			
10. LoPRESTI, Matthew S.	/			
11. LOWEN, Nicole E.	/			
12. ONISHI, Richard H.K.	/			
13. TOKIOKA, James Kunane	/			
14. YAMASHITA, Kyle T.	/			
15. POUHA, Feki	/			
16. WARD, Gene		/		
<b>TOTAL (16)</b>	15	1		

**The recommendation is:**   
 Adopted   
 Not Adopted  
 If joint referral, \_\_\_\_\_ did not support recommendation.  
committee acronym(s)

**Vice Chair's or designee's signature:** \_\_\_\_\_

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