STAND. COM. REP. NO.

449 -16

Honolulu, Hawaii

February 18

, 2016

RE: H.B. No. 1651 H.D. 1

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1651 entitled:

"A BILL FOR AN ACT RELATING TO CLASS C FELONIES,"

begs leave to report as follows:

The purpose of this measure is to increase the maximum fine from \$1,000 to \$10,000 for providing false information when registering to vote late or at an absentee polling place.

The Office of Elections, Common Cause Hawaii, and one concerned individual testified in support of this measure.

Your Committee has amended this measure to:

- (1) Remove the language describing the punishment range for class C felonies;
- (2) Insert a savings clause to preserve the rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date; and
- (3) Make technical, nonsubstantive amendments for clarity and style.

Your Committee notes that making a false statement in a signed voter registration affidavit is a class C felony. Your Committee further notes that the generally applicable penalty for a class C felony is a fine not exceeding \$10,000, or imprisonment not exceeding 5 years, or both.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1651, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1651, H.D. 1, and be referred to your Committee on Finance.

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

KARL RHOADS, Chair

## State of Hawaii House of Representatives The Twenty-eighth Legislature

## H502449-16

## Record of Votes of the Committee on Judiciary

HB 165	Committee Referral:	Date:	2/2/	(-
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	A			
2. SAN BUENAVENTURA, Joy A. (	(VC) ×			_
3. BELATTI, Della Au	A			
4. BROWER, Tom	, , , , , , , , , , , , , , , , , , , ,			×
5. CREAGAN, Richard P.	7			
6. HASHEM, Mark J.	<i>A</i>			
7. KAWAKAMI, Derek S.K.	8			
8. LEE, Chris	8			
9. MORIKAWA, Dee	K			
10. NAKASHIMA, Mark M.	R	-		
11. TAKAYAMA, Gregg	£			
12. WOODSON, Justin H.	D		,	
13. McDERMOTT, Bob	ø		<u></u>	
14. THIELEN, Cynthia	A			
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TOTAL (14)	13			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				