

Honolulu, Hawaii
February 19, 2016

RE: H.B. No. 2314
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. 2314, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE EMPLOYEES' RETIREMENT SYSTEM,"

begs leave to report as follows:

The purpose of this measure is to authorize forfeiture of certain Employees' Retirement System benefits, pursuant to court order, for state or county employees and designated beneficiaries who are convicted of an employment-related felony.

The Employees' Retirement System supported this measure.

Your Committee notes the concerns raised through discussion in the public hearing on this measure regarding the potential deprivation of member benefits from beneficiaries and notes that the court may take these undue hardships into consideration when issuing an order. Should your Committee on Finance deliberate on this measure further, your Committee respectfully requests that it consider allowing a judge to base an order affecting a member's benefits on when the crime at issue was committed rather than upon the time of the conviction.



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. 2314, H.D. 1, and recommends that it be referred to your Committee on Finance.

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



KARL RHOADS, Chair



