

Honolulu, Hawaii

April 8, 2016

RE: S.B. No. 2104
S.D. 2
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 Finance, to which was referred S.B. No. 2104, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE COLLECTION OF RESTITUTION FOR CRIME VICTIMS,"

begs leave to report as follows:

The purpose of this measure is to improve the collection of restitution for crime victims by:

- (1) Creating standards and procedures for income withholding for the collection of restitution;
- (2) Amending the definition of "debt" to include an order for restitution allowing state income tax refunds to be offset by any amount of outstanding restitution;
- (3) Allowing moneys deposited for bail to be used to satisfy restitution, fines, or fees;
- (4) Providing crime victims with limited access to adult probation records for information related to court-ordered payments;
- (5) Making permanent the changes to section 806-73(b), Hawaii Revised Statutes, that allow certain adult probation records to be provided to case management, assessment, or treatment service providers for use as



part of the determination of whether the defendant should be accepted or admitted into a treatment program; and

- (6) Extending for two years the increase in percentage deducted from incarcerated or work furlough individuals for any outstanding victim restitution.

The Department of Public Safety provided testimony in support of the measure. The Department of the Attorney General, Department of Taxation, Crime Victim Compensation Commission, Judiciary, and City and County of Honolulu Department of the Prosecuting Attorney provided comments.

Your Committee has amended this measure by:

- (1) Deleting the severability clause; and
- (2) Making technical, nonsubstantive amendments for the purposes of 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 S.B. No. 2104, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2104, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

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



SYLVIA LUKE, Chair



