

STAND. COM. REP. NO.

1039

Honolulu, Hawaii

March 3, 2017

RE: H.B. No. 432
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 432, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE ELDERLY,"

begs leave to report as follows:

The purpose of this measure is to provide additional protection of the elderly against financial exploitation by a caregiver by establishing the felony crime of financial exploitation of an elder.

The Honolulu Police Department, Maui County Office on Aging, Hawaii Family Forum, Hawaii Catholic Conference, and a few concerned individuals supported this bill. A concerned individual opposed this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu submitted comments.

Your Committee has amended this measure by:

- (1) Changing the definition of "elder" to mean a person who, due to age, is physically or mentally vulnerable;
- (2) Deleting as an example of financial exploitation, the failure to effectively use an elder's income and assets for the necessities required for the elder's support and maintenance; and

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- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 432, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 432, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



