

STAND. COM. REP. NO.

1019

Honolulu, Hawaii

MAR 23 2017

RE: H.B. No. 432
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committees on Human Services and Commerce, Consumer Protection, and Health, to which was referred H.B. No. 432, H.D. 2, entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to make financial exploitation of an elder by a caregiver a felony.

Your Committees received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Maui County Office on Aging, AARP Hawaii, National Active and Retired Federal Employees Association, Hawaii Family Forum, and three individuals.

Your Committees find that financial exploitation is a fast-growing form of elder abuse. Financial exploitation occurs when a person misuses or takes the assets of an elderly victim for that person's own personal benefit. While state laws and various services protect vulnerable adults, including the elderly, providing an additional deterrent against financial exploitation will further protect the elderly and ensure that they are financially safe.

Your Committees have amended this measure by:



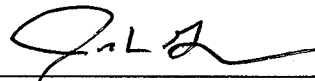
- (1) Inserting an amount of \$50,000 as the minimum total value of the money or property taken or used by a caregiver that would constitute the offense of financial exploitation of an elder;
- (2) Specifying that financial exploitation of an elder is a class A felony;
- (3) Clarifying the definition of "elder" to mean a person who is sixty years of age or older; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 432, H.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 432, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair

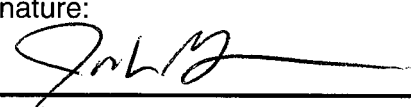


JOSH GREEN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:*	Committee Referral:	Date:	
HB 432, HD2	HMS/CPH, JDL	3/20/2017	
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____			
The Recommendation is:			
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313
Members	Aye	Aye (WR)	Nay
Excused			
GREEN, Josh (C)	✓		
CHANG, Stanley (VC)	✓		
HARIMOTO, Breene	✓		
TOKUDA, Jill N.			✓
WAKAI, Glenn			✓
TOTAL	3		2
Recommendation:			
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted			
Chair's or Designee's Signature:			
			
Distribution:			
Original	Yellow	Pink	Goldenrod
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy

*Only one measure per Record of Votes

