STAND. COM. REP. NO. [221]

Honolulu, Hawaii

MAR 01 , 2019

RE: H.B. No. 748

H.D. 2

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 748, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require a felony offense conviction before any civil asset forfeiture proceeding; and
- (2) Redistribute the proceeds of the sale of forfeited property to the Hawaii Law Enforcement Assisted Diversion program and the State's general fund.

LGBT Caucus of the Democratic Party of Hawaii, Hawaii Health & Harm Reduction Center, Community Alliance on Prisons, and a few concerned individuals supported this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Hawaii, Office of the Prosecuting Attorney of the County of Kauaii, Honolulu Police Department, and Hawaii Police Department opposed this measure. Department of the Attorney General, Department of Land and Natural Resources, and American Civil Liberties Union of Hawaii offered comments.

Your Committee has amended this measure by:

- (1) Changing its effective date to July 1, 2030, to encourage further discussion on this measure; and
- (2) Making technical nonsubstantive amendments for 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 H.B. No. 748, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 748, H.D. 2.

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

SYLVIA LUKE, Chair

## State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 1229

## **Record of Votes of the Committee on Finance**

Bill/Resolution No.: Committe HB 748 . HDI	ee Referral:	Date:	2/21/19	
☐ 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)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. LUKE, Sylvia (C)				
2. CULLEN, Ty J.K. (VC)				
3. ELI, Stacelynn K.M.				
4. GATES, Cedric Asuega				
5. HASHIMOTO, Troy N.				
6. HOLT, Daniel				
7. KITAGAWA, Lisa				
8. KOBAYASHI, Bertrand	<u></u>			
9. MATAYOSHI, Scot Z.				
10. NAKAMURA, Nadine K.				
11. NISHIMOTO, Scott Y.				
12. TODD, Chris				
13. WILDBERGER, Tina				
14. YAMASHITA, Kyle T.				
15. McDERMOTT, Bob				
TOTAL (15)	14	6	<i>A</i>	/
The recommendation is: Adopted  Not 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				