

Honolulu, Hawaii

, 2020

FEB 28

RE: H.B. No. 2220

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2220, 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 prevent and deter financial exploitation and abuse of elders by:

- (1) Creating the offense of financial exploitation of an elder and providing enhanced penalties for those convicted of the offense;
- (2) Requiring financial institutions to report instances of suspected financial abuse of an elder directly to the police and report suspected financial abuse to the Department of Human Services under certain circumstances; and
- (3) Requiring the Department of Human Services to share relevant information regarding cases of suspected financial abuse of an elder with the appropriate county police departments or offices of the prosecuting attorney.



Your Committee received testimony in support of this measure from the City and County of Honolulu Department of the Prosecuting Attorney, Honolulu Police Department, and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Department of Human Services and Department of Commerce and Consumer Affairs.

Your Committee finds that Hawaii's elderly population is growing in size and elderly persons are increasingly becoming targets of financial abuse. This measure protects the elderly population from financial exploitation and abuse by imposing serious penalties for those convicted of financial exploitation of an elder.

Your Committee has amended this measure by:

- (1) Changing the age of the elder individuals intended to be protected by this measure to an unspecified age; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2220, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2220, H.D. 2.

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



CHRIS LEE, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

HSR 982-20

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 2220 HD1	Committee Referral: HSH, JUD	Date: 2/25/20		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.				/
5. LOWEN, Nicole E.	/			
6. McKELVEY, Angus L.K.	/			
7. NAKASHIMA, Mark M.				/
8. PERRUSO, Amy A.	/			
9. SAY, Calvin K.Y.	/			
10. TAKAYAMA, Gregg	/			
11. YAMANE, Ryan I.				/
12. THIELEN, Cynthia	/			
TOTAL (12)	9			3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> 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				