

Honolulu, Hawaii

FEB 11 2020

RE: S.B. No. 2949

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2949 entitled:

"A BILL FOR AN ACT RELATING TO FINANCIAL EXPLOITATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize a civil cause of action by a vulnerable adult for financial exploitation;
- (2) Allow attorney's fees and costs and punitive damages;
- (3) Establish degrees and classes of felonies for financial exploitation of an elderly person or disabled adult; and
- (4) Establish a presumption of financial exploitation.

Your Committee received testimony in support of this measure from the Hawaii Credit Union League and three individuals. Your Committee received testimony from the Department of Human Services supporting the creation of a private civil cause of action, but requested that the newly created cause of action be placed in Hawaii Revised Statutes, Chapter 663 Entitled Tort Actions.

Your Committee finds that financial exploitation is a fast-growing form of elder and disabled adult abuse, and frequently

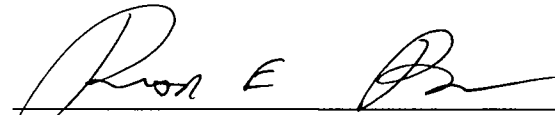


occurs without the explicit knowledge or consent of the victim and deprives them of vital financial resources.

Your Committee also finds that financial elder and disabled adult abuse is a crime that occurs often and is difficult to uncover. Hawaii's credit unions have long worked with law enforcement to investigate and prosecute these types of crimes. Your Committee notes that this measure will help to further protect vulnerable adults and their assets.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2949 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,



RUSSELL E. RUDERMAN, Chair



