

STAND. COM. REP. NO. 755

Honolulu, Hawaii
MAR 04 , 2021

RE: H.B. No. 171
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 171 entitled:

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

begs leave to report as follows:

The purpose of this measure is to broaden the state of mind requirements for certain offenses under chapter 486M, Hawaii Revised Statutes, relating to the responsibilities of pawnbrokers and secondhand dealers.

Your Committee received testimony in support of this measure from the Maui Police Department and Honolulu Police Department. Your Committee received testimony in opposition to this measure from the Office of the Public Defender, Hawaii Pawnbrokers Association, Hawaii Gold & Silver Company, and Kamaaina Loan and Cash for Gold.

Your Committee finds that Hawaii has a high property crime rate. Stolen property is often sold as secondhand items under the guise of legitimate business transactions. Your Committee further finds, however, that violations of the pawnbrokers and secondhand dealers law requires proof that a person knowingly purchased stolen property. This is a high bar that is typically only satisfied through a confession. Your Committee finds that this

measure is necessary to deter the movement of stolen property through legitimate business channels.

Your Committee has amended this measure by:

- (1) Reinstating the state of mind requirement of knowingly violating the pawnbrokers and secondhand dealers law, as well as including intentionally or recklessly violating the law in the affected section; 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 & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 171, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 171, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



MARK M. NAKASHIMA, Chair



