STAND. COM. REP. NO. 1576

Honolulu, Hawaii

APR 0 9 2021

RE: H.B. No. 940

> H.D. 2 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 940, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SECURITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Mandate reporting of suspected financial exploitation of elders and vulnerable adults in relation to securities;
- (2) Provide immunity for good faith reporting; and
- Authorize the delay of disbursements and transactions in (3) situations of suspected financial exploitation.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Maui Police Department, Securities Industry and Financial Markets Association, National Association of Insurance and Financial Advisors Hawaii, Securities Industry Association of Hawaii, and one individual. Your Committee received comments on this measure from the Department of Human Services.

Your Committee finds that financial exploitation of elders is the fastest growing form of elder abuse and can result in

2021-2423 SSCR SMA.doc

devastating consequences for victims, including fear, loss of independence, reduced quality of life, and even death. Your Committee further finds that this measure is based on a securities model act from 2016 that has since been enacted in more than two-dozen states across the country and addresses existing privacy rules and concerns about potential legal exposure and liability that may make it difficult for securities professionals to contact regulators and other government authorities to report suspected financial exploitation. This measure enables financial institutions and the State to work together in preventing, identifying, and addressing cases of financial abuse to combat this growing threat to Hawaii's elders and vulnerable adults.

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. 940, H.D. 2, S.D. 1, and recommends that it pass Third Reading.

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

KARL RHOADS, Chair

The Senate Thirty-First Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
HB 940, HD2, SD1	SOT, MAS			3/30/2021	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)		J			
KEOHOKALOLE, Jarrett (VC)		>			
ACASIO, Laura			V		
GABBARD, Mike		>			
KIM, Donna Mercado		>			
LEE, Chris		>			
FEVELLA, Kurt		>			
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TOTAL		6	1	0	0
Recommendation:		Not Adopted			
Chair's or Designee's Signature: Hall Mosh					
Distribution: Original File with Committee Re	Yellow port Clerk's Office		Pink Drafting Agenc		

*Only one measure per Record of Votes