

Honolulu, Hawaii

MAR 03 , 2022

RE: H.B. No. 1456  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1456 entitled:

"A BILL FOR AN ACT RELATING TO THEFT IN THE SECOND DEGREE,"

begs leave to report as follows:

The purpose of this measure is to amend the offense of theft in the second degree to include theft of an electric gun.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Firearms Coalition, and one individual. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that the Penal Code does not adequately address the theft of electric guns, which became legal for members of the public on January 1, 2022. Your Committee believes that criminals may start to seek out electric guns for the facilitation of crimes since these devices can cause pain and incapacitation but are less likely to cause death or serious bodily injury.

Your Committee has amended this measure by:

- (1) Changing the effective date to January 1, 2022, to encourage further discussion; 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. 1456, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1456, 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



State of Hawaii  
House of Representatives  
The Thirty-first Legislature

HSCR 779-22

**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

Bill/Resolution No.: <b>HB 1456</b>	Committee Referral: <b>JHA</b>	Date: <b>2-1-22</b>		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.			✓	
5. LoPRESTI, Matthew S.				✓
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane	✓			
12. WARD, Gene	✓			
<b>TOTAL (12)</b>	<b>10</b>	<b>2</b>	<b>0</b>	<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 10pt;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
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