

Honolulu, Hawaii

APR 28 , 2022

RE: H.B. No. 2197
H.D. 1
S.D. 1
C.D. 1

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

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2197, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO GAMBLING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend:

- (1) The requisite state of mind for promoting gambling in the first and second degree to recklessness and negligence, respectively;
- (2) The offenses of promoting gambling in the first and second degree to a class B felony and class C felony, respectively; and
- (3) The definition of "advance gambling activity" to repeal playing or participating in any form of gambling activity.

2022-3234 HB2197 CD1 HCCR HMSO



Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made the offense of promoting gambling in the second degree subject to repeat offender sentencing provisions;
- (2) Amending the offense of gambling to repeal advancing any gambling activity;
- (3) Excluding the offenses of promoting gambling in the first and second degree from qualifying for deferred acceptance of guilty plea or nolo contendere plea; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2197, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2197, H.D. 1, S.D. 1, C.D. 1.

Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE



KARL RHOADS
Chair



SCOT Z. MATSUMOTO
Chair



Hawaii State Legislature
Record of Votes of a
Conference Committee

CCR 51-22

Bill / Concurrent Resolution No.: HB 2197, HD 1, SD 1	Date/Time: <i>4/28/22 2:25 pm</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				MATAYOSHI, Scot Z., Chr.	✓			
KIM, Donna Mercado	✓				KITAGAWA, Lisa	✓			
FEVELLA, Kurt	✓				WARD, Gene	✓			
TOTAL	3	0	0	0	TOTAL	3	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: <i>Karl Rhoads</i>	House Lead Chair's or Designee's Signature:
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