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# SENATE CONCURRENT RESOLUTION

REQUESTING THE REGULATED INDUSTRIES COMPLAINTS OFFICE TO REPORT  
THE ITEMIZED TOTAL AMOUNT OF FINES OR JUDGMENTS COLLECTED  
AND UNCOLLECTED EACH YEAR, FROM 1983 TO PRESENT, AND TO  
INCLUDE THAT INFORMATION IN THE DIRECTOR OF COMMERCE AND  
CONSUMER AFFAIRS' ANNUAL COMPLIANCE RESOLUTION FUND REPORT.

1           WHEREAS, the Regulated Industries Complaints Office (RICO)  
2 is an enforcement agency within the Department of Commerce and  
3 Consumer Affairs (DCCA) that processes individual complaints  
4 involving persons who provide specialized trade or professional  
5 services to Hawaii consumers that require a license or  
6 certification from one of the professional or vocational boards  
7 established within the Department of Commerce and Consumer  
8 Affairs; and

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10           WHEREAS, as of 2021, RICO's authority covers fifty-two  
11 industries and occupations, consisting of more than one hundred  
12 seventy thousand active licensees, which are regulated because  
13 the services they provide impact the health, safety, or welfare  
14 of Hawaii's consumers; and

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16           WHEREAS, RICO is authorized to sue members of the public if  
17 they provide consumers with services in a regulated industry  
18 without having first obtained the proper license required by  
19 law; and

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21           WHEREAS, RICO can also pursue disciplinary action and  
22 sanctions against legitimate licensees if their conduct falls  
23 below professional or regulatory standards; and

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25           WHEREAS, the money RICO collects from the judgments,  
26 sanctions, and fines it obtains or imposes are deposited into  
27 the Compliance Resolution Fund, along with other fees collected  
28 by DCCA, such as license issuance and renewal fees; and

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1           WHEREAS, the Director of Commerce and Consumer Affairs  
2 (Director) is authorized to use the moneys in the Compliance  
3 Resolution Fund for operations of the DCCA, hiring attorneys and  
4 hearing officers, training personnel, and any other activity  
5 related to compliance resolution; and  
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7           WHEREAS, the Director is required to prepare and submit an  
8 annual report to the Governor and Legislature on the activity of  
9 the Compliance Resolution Fund; and  
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11           WHEREAS, although RICO collects fines and judgments each  
12 year, there are fines and judgments that go uncollected each  
13 year; and  
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15           WHEREAS, in the interest of government transparency and  
16 efficiency, it is critical for the Governor and Legislature be  
17 informed of the amount of fines and judgments that RICO  
18 collects, and what has gone uncollected, each year; now,  
19 therefore,  
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21           BE IT RESOLVED by the Senate of the Thirty-second  
22 Legislature of the State of Hawaii, Regular Session of 2023, the  
23 House of Representatives concurring, that RICO is requested to  
24 provide a report itemizing the total amount of fines or  
25 judgments collected and uncollected each year, from 1983 to  
26 present, and to include that information in the Director's  
27 annual Compliance Resolution Fund report; and  
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29           BE IT FURTHER RESOLVED that RICO is requested to submit a  
30 report on its findings for the years from 1983 to 2022 to the  
31 Legislature no later than twenty days prior to the convening of  
32 the Regular Session of 2024; and  
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34           BE IT FURTHER RESOLVED that a certified copy of this  
35 Concurrent Resolution be transmitted to the Director of Commerce  
36 and Consumer Protection.

