

MAR 10 2023

SENATE RESOLUTION

REQUESTING THE REGULATED INDUSTRIES COMPLIANCE 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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30 WHEREAS, the Director of Commerce and Consumer Affairs
31 (Director) is authorized to use the moneys in the Compliance
32 Resolution Fund for operations of the DCCA, hiring attorneys and



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1 hearing officers, training personnel, and any other activity
2 related to compliance resolution; and

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4 WHEREAS, the Director is required to prepare and submit an
5 annual report to the Governor and Legislature on the activity of
6 the Compliance Resolution Fund; and

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8 WHEREAS, although RICO collects fines and judgments each
9 year, there are fines and judgments that go uncollected each
10 year; and

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12 WHEREAS, in the interest of government transparency and
13 efficiency, it is critical for the Governor and Legislature be
14 informed of the amount of fines and judgments that RICO
15 collects, and what has gone uncollected, each year; now,
16 therefore,

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18 BE IT RESOLVED by the Senate of the Thirty-second
19 Legislature of the State of Hawaii, Regular Session of 2023,
20 that RICO is requested to provide a report itemizing the total
21 amount of fines or judgments collected and uncollected each
22 year, from 1983 to present, and to include that information in
23 the Director's annual Compliance Resolution Fund report; and

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25 BE IT FURTHER RESOLVED that RICO is requested to submit a
26 report on its findings for the years from 1983 to 2022 to the
27 Legislature no later than twenty days prior to the convening of
28 the Regular Session of 2024; and

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30 BE IT FURTHER RESOLVED that certified copies of this
31 Resolution be transmitted to Director of Commerce and Consumer
32 Protection.

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OFFERED BY: *Anna Mercedes Kim*

