

STAND. COM. REP. NO.

818

Honolulu, Hawaii

MAR 02 , 2023

RE: H.B. No. 707
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 707 entitled:

"A BILL FOR AN ACT RELATING TO FALSE CLAIMS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the offense of making a false, fictitious, or fraudulent claim against the State or a county; and
- (2) Disqualify a person convicted of making a false, fictitious, or fraudulent claim against the State or a county from holding elected office for a period of ten years.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Campaign Spending Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Our Revolution Hawaii, Pono Hawaii Initiative, and twelve individuals. Your Committee received comments on this measure from the Commission to Improve Standards of Conduct and one individual.

Your Committee finds that this measure implements one of the recommendations made by the Commission to Improve Standards of

2023-2011 HB707 HD1 HSCR HMSO



Conduct established pursuant to House Resolution No. 9, Regular Session of 2022. If enacted, this measure would increase public trust in state government and increase the level of transparency in its operations and accountability of individuals by making it a criminal offense to make false, fictitious, or fraudulent claims against the State or a county.

Your Committee has amended this measure by:

- (1) Requiring the claim to be material upon or against the State, a county, or any department or agency thereof;
- (2) Defining the terms "claim" and "material";
- (3) Allowing a person charged with the offense of making a false, fictitious, or fraudulent claim against the State or a county to be eligible for a deferred acceptance of guilty plea or nolo contendere plea;
- (4) Deleting language that would have disqualified a person convicted of making a false, fictitious, or fraudulent claim against the State or a county from holding elected office for ten years, and instead disqualifying the person from receiving public financing for elections for a period of ten years; and
- (5) 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. 707, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 707, 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,



DAVID A. TARNAS, Chair



