

STAND. COM. REP. NO.

618

Honolulu, Hawaii

FEB 13 , 2025

RE: H.B. No. 126
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 126 entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY FORFEITURE,"

begs leave to report as follows:

The purpose of this measure is to make the State's property forfeiture process more just by:

- (1) Increasing transparency and accountability surrounding property forfeiture;
- (2) Clarifying which property is subject to forfeiture;
- (3) Amending the authorized disposition of forfeited property and the proceeds thereof; and
- (4) Repealing language that requires the Hawaii Omnibus Criminal Forfeiture Act to be construed liberally.

Your Committee received testimony in support of this measure from the Office of the Public Defender; Community Alliance on Prisons; Grassroot Institute of Hawaii; and Drug Policy Forum of Hawaii. Your Committee received testimony in opposition to this measure from the Honolulu Police Department. Your Committee

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received comments on this measure from the Department of the Attorney General.

Your Committee finds that the State's existing property forfeiture process requires reform to ensure greater fairness, transparency, and accountability. This measure clarifies the types of property subject to forfeiture, adjusts the disposition of forfeited assets, mandates public record-keeping, and removes provisions that allowed for overly broad interpretations of the law.

Your Committee has amended this measure by changing the effective date to July 1, 3000, to encourage further discussion.

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. 126, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 126, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



HSCA C-18

Bill/Resolution No.: HB 126		Committee Referral: JHA, FIN		Date: 2/5/25	
<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. TARNAS, David A. (C)		✓			
2. POEPOE, Mahina (VC)		✓			
3. BELATTI, Della Au		✓			
4. COCHRAN, Elle					✓
5. HASHEM, Mark J.		✓			
6. KAHALOA, Kirstin		✓			
7. PERRUSO, Amy A.		✓			
8. TAKAYAMA, Gregg		✓			
9. TODD, Chris		✓			
10. GARCIA, Diamond			✓		
11. SHIMIZU, Garner M.			✓		
TOTAL (11)		8	2	0	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: _____					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					