STAND. COM. REP. NO.

293

Honolulu, Hawaii

FEB 1 4 2007

RE: S.B. No. 1414

S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Madam:

Your Committee on Commerce, Consumer Protection, and Affordable Housing, to which was referred S.B. No. 1414 entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING OF REPEAT OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to amend the sentencing of repeat offender provisions in the penal code to include insurance fraud offenses found in chapters 386, 431, 432, and 432D, Hawaii Revised Statutes (HRS).

Testimony in support of this measure was submitted by the Department of Commerce and Consumer Affairs and the Department of the Attorney General (AG).

Your Committee finds that the intent of this measure is to enhance criminal penalties for persons who commit insurance fraud by including felony insurance fraud as one of the felony violations that can increase the sentence of a repeat offender. Specifically, this measure includes workers' compensation, private health insurance, motor vehicle insurance, mutual benefits societies, and health maintenance organization fraud penalty statutes among the list of felonies that triggers the enhanced sentencing of repeat offenders in section 706-606.5, HRS.

Your Committee, upon recommendation by the AG, has amended this measure so that the descriptions of the insurance felonies



added to section 706-606.5, HRS, track the statutory language of their respective sections in the HRS.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Affordable Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1414, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1414, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Affordable Housing,

BRIAN T. TANIGUCHI, Chai

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Commerce, Consumer Protection and Affordable Housing CPH

Bill / Resolution No.:* SB 1414	Committee Referral: Date: 2-8-07			07	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)		V			
IGE, David Y. (VC)		//	Communication (Conservation Conservation Con		/
ESPERO, Will		N/			
IHARA, Jr., Les		V	TO THE RESERVE OF THE PROPERTY		
SAKAMOTO, Norman		<i>V</i> ,			
SLOM, Sam					
	do national and a series of the series of th		Port Production Communication Control (PCC)	THE STREET PRODUCTION OF THE STREET	
		Section (Section (Section S			
TOTAL		5	0	0	/
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink File with Committee Report Clerk's Office Drafting Agency					

^{*}Only one measure per Record of Votes