STAND. COM. REP. NO. 3144

Honolulu, Hawaii

APR 0 3 2012

RE: H.B. No. 1771

H.D. 1 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred H.B. No. 1771, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FELONIES FOR WHICH CRIMINAL CHARGES MAY BE INSTITUTED BY WRITTEN INFORMATION,"

begs leave to report as follows:

The purpose and intent of this measure is to add habitual property crime, unauthorized entry in a dwelling in the first or second degree, and theft of copper to the list of felonies for which criminal charges may be instituted by written information.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu. Testimony in opposition to this measure was submitted by the Community Alliance on Prisons, American Civil Liberties Union of Hawaii, and five private individuals.

Your Committee finds that as new criminal laws have been passed or amended, the written information law has not been amended accordingly to include those new or amended laws. As such, this measure adds certain felonies that are comparable to the felonies listed in the existing written information law.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

2012-1612 SSCR SMA.doc

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1771, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1771, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and

Labor,

CLAYTON HEE, Chair

The Senate Twenty-Sixth Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	esolution No.:* Committee Referral: Date: / /					
HB (771, HD)	JDL			3/14/	12	
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	
HEE, Clayton (C)						
SHIMABUKURO, Maile (VC)			~		-	
GABBARD, Mike				_		
IHARA, Jr., Les						
SLOM, Sam						
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TOTAL		3	/	0	/	
Recommendation: Adopted Not Adopted						
Chair's or Designee's Signature:						
Distribution: Original File with Committee F	Yellow Report Clerk's Office		Pink Goldenrod Prafting Agency Committee File Copy			

^{*}Only one measure per Record of Votes