STAND. COM. REP. NO. **664** -12

Honolulu, Hawaii

March 1, 2012

RE: H.B. No. 1772

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1772 entitled:

"A BILL FOR AN ACT RELATING TO VIOLATION OF PRIVACY,"

begs leave to report as follows:

The purpose of this measure is to resolve the current conflict in the elements of the offenses of violation of privacy in the first degree and violation of privacy in the second degree by amending violation of privacy in the second degree to exclude the surveillance of another in a stage of undress or sexual activity as such acts are covered by violation of privacy in the first degree.

The Department of the Attorney General and Department of the Prosecuting Attorney of the City and County of Honolulu submitted testimony in support of this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1772 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

STAND. COM. REP. NO. 644 -12 Page 2

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

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Judiciary

Bill/Resolution No.: HB 1772	Committee Referral:			Date: 2/21/12		
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
JUD Members		Ayes	Ayes (WR)	Nays	Excused	
1. KEITH-AGARAN, Gilbert S.C. (C)		V				
2. RHOADS, Karl (VC)						
3. BROWER, Tom						
4. CABANILLA, Rida T.R.						
5. CARROLL, Mele						
6. COFFMAN, Denny		~				
7. HERKES, Robert N.	-	V			***************************************	
8. ITO, Ken						
9. LUKE, Sylvia		~				
10. McKELVEY, Angus L.K.		/				
11. SOUKI, Joseph M.		✓				
12. TSUJI, Clift						
13. FONTAINE, George R.						
14. MARUMOTO, Barbara C.		~				
15. THIELEN, Cynthia						
TOTAL (15)		14	0	0	1	
The recommendation is: 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						