STAND. COM. REP. NO. 1494-12

Honolulu, Hawaii

April 3 , 2012

RE: S.B. No. 2486

S.D. 1

H.D. 1

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 S.B. No. 2486, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to expand the offense of terroristic threatening to cover threats of harm to property including pets and livestock.

The Hawaiian Humane Society, the Humane Society of the United States, and a concerned citizen testified in support of this measure. The Office of the Public Defender provided comments on this measure.

Your Committee finds based on testimony presented that the term "property" as used in section 707-715, Hawaii Revised Statutes, amended by this measure, already includes pets and livestock. Therefore it is unnecessary to specifically reference those terms in this measure.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the specific reference to pets or livestock from the bill; and
- (2) Changing the effective date to upon its approval.

SB2486 HD1 HSCR JUD HMS 2012-3267

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 S.B. No. 2486, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2486, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

HSCR1494-12

Record of Votes of the Committee on Judiciary

5B 2486 SDI	Committee Referral:	Date	3/29/1	2
☐ 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) ~		•••	
2. RHOADS, Karl (VC)				
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				
5. CARROLL, Mele				V
6. COFFMAN, Denny	_			
7. HERKES, Robert N.	_			
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.				<u> </u>
15. THIELEN, Cynthia				
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TOTAL (15)	8		0	6
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				