

Honolulu, Hawaii  
February 28, 2013

RE: H.B. No. 235  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Judiciary and Consumer Protection & Commerce, to which was referred H.B. No. 235 entitled:

"A BILL FOR AN ACT RELATING TO COLLECTION OF RESTITUTION FOR CRIME VICTIMS,"

beg leave to report as follows:

The purpose of this measure is to assist duly incorporated societies for the prevention of cruelty to animals that have county or state contracts to enforce animal related laws in recovering their costs by including them as "victims" in the law relating to victim restitution.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Humane Society of the United States-Hawaii, Hawaiian Humane Society, West Hawaii Humane Society, Last Resort Dog Rescue, and numerous concerned individuals supported this measure. The Office of the Public Defender opposed this measure. A concerned individual provided comments.

Your Committees have amended this measure by:

- (1) Limiting the applicability of the new category of "victim" to those societies that impound, hold, or receive custody of a pet animal pursuant to only three specified sections in the criminal laws relating to offenses against public order concerning animal cruelty;



- (2) Specifying that the new category of "victim" does not permit the recovery of victim restitution for costs that have already been contracted and provided for by the counties or State;
- (3) Changing its effective date to September 24, 2021, to promote further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency and style.

As affirmed by the records of votes of the members of your Committees on Judiciary and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 235, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 235, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committees on Judiciary and  
Consumer Protection & Commerce,



ANGUS L.K. MCKELVEY, Chair



KARL RHOADS, Chair





