STAND. COM. REP. NO. 192-20

Honolulu, Hawaii

FEB 27 , 2020

RE: H.B. No. 1874

H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1874 entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL OFFENSES AGAINST SENIORS,"

begs leave to report as follows:

The purpose of this measure is to address crimes that impact the State's seniors by:

- (1) Lowering the age at which enhanced penalties apply for crimes against seniors from sixty-two to sixty; and
- (2) Making a perpetrator strictly liable for certain criminal offenses against seniors.

Your Committee received testimony in support of this measure from the Department of Human Services, Department of the Prosecuting Attorney of the County of Maui, Maui County Office on Aging, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that there have been a number of violent crimes targeting seniors in the State. Existing law needs to be

amended to provide stronger deterrents and stricter consequences for crimes against seniors. More severe consequences, regardless of the perpetrator's knowledge of the senior's age, will increase protection for Hawaii's kupuna.

Your Committee has amended this measure by:

- (1) Changing the age at which enhanced penalties apply for crimes against seniors from sixty years of age to an unspecified age;
- (2) Changing its effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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. 1874, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1874, H.D. 1, and be placed on the calendar for Third Reading.

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

CHRIS LEE, Chair

State of Hawaii House of Representatives The THIRTIETH Legislature

HSCR 792-20

Record of Votes of the Committee on Judiciary

HB 1874 The committee is reconsidering its previous decision on the measure. The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Pass short form bill with HD to recommit for future public hearing (recommit) JUD Members Ayes Ayes (WR) Nays Excused 1. LEE, Chris (C)	L
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Pass short form bill with HD to recommit for future public hearing (recommit) JUD Members Ayes Ayes (WR) Nays Excused	
☐ Pass short form bill with HD to recommit for future public hearing (recommit) JUD Members Ayes (WR) Nays Excused	
1. LEE, Chris (C)	
A CLANDENDA A VERNINA A LA CATO	
2. SAN BUENAVENTURA, Joy A. (VC)	
3. BROWER, Tom	
3. BROWER, Tolli	
4. CREAGAN, Richard P.	
5. LOWEN, Nicole E.	
6. McKELVEY, Angus L.K.	
7. NAKASHIMA, Mark M.	
8. PERRUSO, Amy A.	
8. PERRUSO, Amy A.	
9. SAY, Calvin K.Y.	<u>a </u>
10. TAKAYAMA, Gregg	
	ا معالم غیر
11. YAMANE, Ryan I.	
12. THIELEN, Cynthia	
TOTAL (12) 4 3	
The recommendation is: If joint referral, did not support recommendation. committee acronym(s)	
Vice Chair's or designee's signature	-
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