STAND. COM. REP. NO. -20

Honolulu, Hawaii

FEB 12 , 2020

RE: H.B. No. 2220

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 Human Services & Homelessness, to which was referred H.B. No. 2220 entitled:

"A BILL FOR AN ACT RELATING TO THE ELDERLY,"

begs leave to report as follows:

The purpose of this measure is to prevent and deter financial exploitation and abuse of elders by:

- (1) Creating the offense of financial exploitation of an elder and providing enhanced penalties for those convicted of the offense; and
- (2) Requiring financial institutions to report instances of suspected financial abuse of an elder directly to the police and report suspected financial abuse to the Department of Human Services under certain circumstances.

Your Committee received testimony in support of this measure from the Policy Advisory Board for Elder Affairs, Honolulu Police Department, AARP Hawaii, and two individuals. Your Committee received testimony in opposition to this measure from the Hawaii Bankers Association. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Department of Human Services, and Executive Office on Aging.

Your Committee finds that Hawaii's elderly population is growing in size and that financial exploitation of elderly persons is on the rise. This measure protects the elderly population from financial exploitation and abuse by imposing serious penalties for those convicted of financial exploitation of an elder.

Your Committee has amended this measure by:

- (1) Removing the requirement that a written report of suspected financial abuse of an elder be reported to the appropriate county police department within two business days;
- (2) Clarifying that a person shall receive an enhanced penalty if the person is found to have committed an offense against an elder sixty-two years of age or older;
- (3) Changing the effective date to December 31, 2059, to encourage further discussion; and
- (4) 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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2220, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2220, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Human Services & Homelessness,

## State of Hawaii House of Representatives The THIRTIETH Legislature House of Representatives The THIRTIETH Legislature

## **Record of Votes of the Committee on Human Services & Homelessness**

Bill/Resolution No.:  HB 2220	Committee Referral: HSH , JVD		Date: 2/5/2020	
☐ 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)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SAN BUENAVENTURA, Joy A.	. (C) V		politic para a second	
2. NAKAMURA, Nadine K. (VC)	V			
3. BELATTI, Della Au				
3. BELATTI, Della Au				
4. KOBAYASHI, Bertrand			and the same of th	. <u>Page 1 - A. a. Andread page 1 - Andread Page 1</u>
5. MIZUNO, John M.	V			
			Ashani Andria Ashani Ashani Santa Santa ashani and an	
6. SAY, Calvin K.Y.	V			
TOWIONA I				
7. TOKIOKA, James Kunane				
8. WARD, Gene				
TOTAL (8)	8			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature: Mullin H. Mullin				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				