STAND. COM. REP. NO. 7773

Honolulu, Hawaii

FEB 2 7 2020

S.B. No. 2183 RE: S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2183 entitled:

"A BILL FOR AN ACT RELATING TO THE DEFINITION OF PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "property" as used in chapter 708, Hawaii Revised Statutes, to expressly include intellectual property and property stored on an electronic device for purposes of prosecuting property crimes.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that in the modern digital age, property that is stored on an electronic device has just as much value as property in hard copy form. Your Committee also finds that intellectual property should be protected from property theft in the same manner in which existing law protects real and personal property. This measure amends the definition of property for purposes of offenses against property to expressly include intellectual property and property stored on an electronic device.





Your Committee has amended this measure by:

- (1) Inserting a definition of "intellectual property"; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2183, S.D. 1, and be placed on the calendar for Third Reading.

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

KARL RHOADS, Chair



The Senate Thirtieth Legislature State of Hawai'i

Record of Votes Committee on Judiciary JDC

Bill / Resolution No* SB 2183	Committee Referral:			Date: 01/31/2020	
	J			113/2	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)					
KEOHOKALOLE, Jarrett (VC)					
GABBARD, Mike					
KIM, Donna Mercado					
FEVELLA, Kurt					
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TOTAL		3			2
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Aun					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					
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*Only <u>one</u> measure per Record of Votes