

STAND. COM. REP. NO.

450

Honolulu, Hawaii

FEB 18 , 2021

RE: H.B. No. 490
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 490 entitled:

"A BILL FOR AN ACT RELATING TO CRIMES AGAINST SENIORS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Lower the age at which enhanced penalties apply for crimes against seniors from sixty-two years of age to sixty years of age; and
- (2) Make the commission of certain criminal offenses against a senior's person or property applicable if the perpetrator knows or reasonably should know the senior victim's age.

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

2021-1633 HB490 HD1 HSCR HMSO



Your Committee finds that existing law does not provide adequate protection against the physical, emotional, and financial exploitation of the State's senior citizens. This measure makes certain amendments to more closely align certain Penal Code statutes with common elder abuse scenarios, which will allow law enforcement and prosecutors to respond appropriately.

Your Committee has amended this measure by:

- (1) Adding a savings clause;
- (2) Changing the effective date to July 1, 2060, 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 Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 490, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 490, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

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



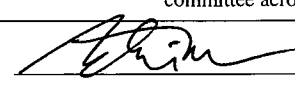
RYAN I. YAMANE, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

HSR 450

Record of Votes of the Committee on Health, Human Services, & Homelessness

Bill/Resolution No.: HB 490		Committee Referral: HHH, JHA		Date: 02/11/2021	
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)					
HHH Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)	✓				
2. TAM, Adrian K. (VC)	✓				
3. GATES, Cedric Asuega	✓				
4. HAR, Sharon E.	✓				
5. KAPELA, Jeanne	✓				
6. LoPRESTI, Matthew S.				✓	
7. NISHIMOTO, Scott Y.	✓				
8. WARD, Gene	✓				
TOTAL (8)	7			1	
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					
If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>					
Vice Chair's or designee's signature: 					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					