STAND. COM. REP. NO. **XXX** 

Honolulu, Hawaii MAR 02 , 2023

H.B. No. 707 · RE: H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 707 entitled:

"A BILL FOR AN ACT RELATING TO FALSE CLAIMS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the offense of making a false, fictitious, or fraudulent claim against the State or a county; and
- (2) Disqualify a person convicted of making a false, fictitious, or fraudulent claim against the State or a county from holding elected office for a period of ten • years.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Campaign Spending Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Our Revolution Hawaii, Pono Hawaii Initiative, and twelve individuals. Your Committee received comments on this measure from the Commission to Improve Standards of Conduct and one individual.

Your Committee finds that this measure implements one of the recommendations made by the Commission to Improve Standards of



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Conduct established pursuant to House Resolution No. 9, Regular Session of 2022. If enacted, this measure would increase public trust in state government and increase the level of transparency in its operations and accountability of individuals by making it a criminal offense to make false, fictitious, or fraudulent claims against the State or a county.

Your Committee has amended this measure by:

- Requiring the claim to be material upon or against the State, a county, or any department or agency thereof;
- (2) Defining the terms "claim" and "material";
- (3) Allowing a person charged with the offense of making a false, fictitious, or fraudulent claim against the State or a county to be eligible for a deferred acceptance of guilty plea or nolo contendere plea;
- (4) Deleting language that would have disqualified a person convicted of making a false, fictitious, or fraudulent claim against the State or a county from holding elected office for ten years, and instead disqualifying the person from receiving public financing for elections for a period of ten years; and
- (5) 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 & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 707, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 707, H.D. 1, and be placed on the calendar for Third Reading.



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Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair



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## State of Hawaii House of Representatives The Thirty-second Legislature

## HSCR 818

## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 707	ittee Referral: JH	e Referral: JHA		"2/22/2023	
The committee is reconsidering its previous decision on the measure.					
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. TARNAS, David A. (C)		-			
2. TAKAYAMA, Gregg (VC)					
		taka (			
3. GANADEN, Sonny					
4. HOLT, Daniel					
5. HASHIMOTO, Troy N.					
6. ICHIYAMA, Linda				<u></u>	
7. ILAGAN, Greggor					
8. KONG, Sam Satoru					
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9. MIZUNO, John M.				ann a thug san thug a san the dama and a start and a start dama.	
10. SOUZA, Kanani					
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TOTAL (10)	8			2	
The recommendation is: 😼 Adopted 🗆 Not Adopted					
If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					