STAND. COM. REP. NO. 2157

Honolulu, Hawaii

FEB 2 9 2024

RE: S.B. No. 2197 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2197 entitled:

"A BILL FOR AN ACT RELATING TO GAMBLING OFFENSES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "advance gambling activity".

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual.

Your Committee finds that illegal game rooms have become such a prolific and lucrative enterprise over the years, that the Honolulu Police Department has indicated that on any given day on Oahu, there are at least one hundred game rooms active. However, under existing law, an illegal game room proprietor who makes some effort to prevent its occurrence or continuation, no matter how insignificant or ineffective, could fall outside the definition of "advance gambling activity" and possibly avoid prosecution for promoting gambling in the first and second degree. This measure will close a loophole in the gambling laws and assist in prosecuting illegal gambling activity in the State.

Your Committee has amended this measure by clarifying that a person advances gambling activity if the person, having substantial proprietary control or other authoritative control over premises being used with the person's knowledge for purposes of gambling activity, permits that activity to occur or continue.

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. 2197, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2197, S.D. 1, and be placed on the calendar for Third Reading.

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

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KARL RHOADS, Chair

The Senate Thirty-Second Legislature State of Hawaiʻi

Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:		
58 2197	JD		02	02	24	
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) 1	lay	Excused
RHOADS, Karl (C)		V				
GABBARD, Mike (VC)						
ELEFANTE, Brandon J.C.						
SAN BUENAVENTURA, Joy A						
AWA, Brenton	 -					
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TOTAL		5			.	
Recommendation:						
Adopted Not Adopted						
Chair's or Designee's signature:						
Pistribution: Original Yellow Pink Golder File with Committee Report Clerk's Office Drafting Agency Clerk's Office Draft						

^{*}Only one measure per Record of Votes