

STAND. COM. REP. NO. 2166

Honolulu, Hawaii

FEB 11 2026

RE: H.B. No. 963
H.D. 2
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 963, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to establish strict liability for crimes against elders with respect to the attendant circumstance that the victim was sixty years of age or older.

Your Committee received testimony in support of this measure from the Executive Office on Aging, Department of the Prosecuting Attorney of the City and County of Honolulu, Department of the Prosecuting Attorney of the County of Maui, Office of the Prosecuting Attorney of the County of Hawai'i, Honolulu Police Department, AARP Hawai'i, Libertarian Party of Hawaii, and two individuals.

Your Committee received testimony in opposition to this measure from the Office of the Prosecuting Attorney of the County of Kaua'i.

Your Committee finds that existing criminal statutes intended to protect older adults often require proof that an offender knew or reasonably should have known the victim's age, creating barriers to effective prosecution. Your Committee further finds



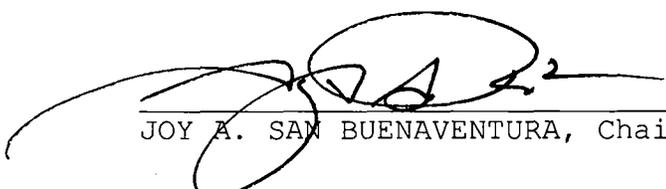
that removing the state-of-mind requirement across these offenses will improve accountability and better safeguard vulnerable kupuna. This measure strengthens protections for elders by establishing strict liability for offenses in which the victim is sixty years of age or older, including certain assault, unauthorized entry in a dwelling, theft, and forgery offenses.

Your Committee has amended this measure by:

- (1) Raising the strict liability age threshold for assault in the first degree and assault in the second degree from sixty to seventy;
- (2) Deleting language that would have established a strict liability age threshold for the crimes of unauthorized entry in a dwelling in the first degree, theft in the first degree, theft in the second degree, forgery in the first degree, and forgery in the second degree;
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (4) 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 Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 963, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 963, H.D. 2, S.D. 1, and be referred to your Committee on Judiciary.

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



JOY A. SAM BUENAVENTURA, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 963 HD2	HHS, JDC	1 / 28 / 2026		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
MCKELVEY, Angus L.K. (VC)	✓	✓		
KANUHA, Dru Mamo	✓			
KEOHOKALOPE, Jarrett		✓		
FEVELLA, Kurt		✓		
TOTAL	2	3	0	0
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: _____				
Distribution: Original Yellow Pink File with Committee Report Committee Drafting Agency				

*Only one measure per Record of Votes