

STAND. COM. REP. NO.

1025

Honolulu, Hawaii

March 24, 2015

RE: S.B. No. 230
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 230 entitled:

"A BILL FOR AN ACT RELATING TO RESTITUTION FOR VICTIMS OF CRIME,"

begs leave to report as follows:

The purpose of this measure is to specify that crime victims may receive restitution for their losses from lost earnings and medical expenses for mental health treatment, counseling, and therapy that are a consequence of the defendant's crime.

This measure is intended to address the Intermediate Court of Appeals holding that section 706-646, Hawaii Revised Statutes, does not expressly authorize restitution to the victim for these losses. The defendant would pay restitution even while incarcerated.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Office of the Prosecuting Attorney of the County of Kauai, Department of the Prosecuting Attorney of the County of Maui, Crime Victim Compensation Commission, The Sex Abuse Treatment Center, and a concerned individual testified in support of this measure. The Office of the Public Defender testified in opposition. The Department of Public Safety provided comments.

SB230 HD1 HSCR JUD HMS 2015-2673



Your Committee has amended this measure by changing the effective date to March 15, 2038, to encourage further discussion.

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. 230, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 230, H.D. 1, and be referred to the Committee on Finance.

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



KARL RHOADS, Chair



State of Hawaii
House of Representatives
The Twenty-eighth Legislature

HSCR 1025

Record of Votes of the Committee on Judiciary


Bill/Resolution No.: SB 230	Committee Referral: JUD, FIN	Date: 3/17/15
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	X			
2. SAN BUENAVENTURA, Joy A. (VC)	X			
3. BELATTI, Della Au	P			
4. BROWER, Tom	P			
5. CREAGAN, Richard P.	X			
6. HASHEM, Mark J.	P			
7. KAWAKAMI, Derek S.K.	P			
8. LEE, Chris				A
9. MORIKAWA, Dee	X			
10. NAKASHIMA, Mark M.	P			
11. TAKAYAMA, Gregg	P			
12. WOODSON, Justin H.	X			
13. MCDERMOTT, Bob	P			
14. THIELEN, Cynthia	P			
TOTAL (14)	13			1

The recommendation is: Adopted Not Adopted
If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature: 

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