

STAND. COM. REP. NO. 2934
Honolulu, Hawaii

RE: S.B. No. 2183
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii
Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2183 entitled:

"A BILL FOR AN ACT RELATING TO THE DEFINITION OF PROPERTY,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "property" as used in chapter 708, Hawaii Revised Statutes, to expressly include intellectual property and property stored on an electronic device for purposes of prosecuting property crimes.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, and one individual. Your Committee received comments on this measure from the Office of the Public Defender.

Your Committee finds that in the modern digital age, property that is stored on an electronic device has just as much value as property in hard copy form. Your Committee also finds that intellectual property should be protected from property theft in the same manner in which existing law protects real and personal property. This measure amends the definition of property for purposes of offenses against property to expressly include intellectual property and property stored on an electronic device.

Your Committee has amended this measure by:

- (1) Inserting a definition of "intellectual property"; and
- (2) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2183, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2183, S.D. 1, and be placed on the calendar for Third Reading.

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

KARL RHOADS, Chair