Honolulu, Hawaii

Ja-730 , 2008

RE: H.B. No. 2254 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2254 entitled:

"A BILL FOR AN ACT RELATING TO BANKS AND FINANCIAL INSTITUTIONS,"

begs leave to report as follows:

The purpose of this bill is to promote fair marketing practices by prohibiting and establishing civil penalties for the deceptive use of the name or trademark of a financial institution, or its affiliates or subsidiaries, in marketing materials and solicitations directed at existing or prospective customers.

The Department of Commerce and Consumer Affairs, Hawaii Financial Services Association, Hawaii Bankers Association, and Mortgage Bankers Association of Hawaii testified in support of this bill.

Your Committee has amended this bill by changing the title of the new statutory section added by this measure, from "Bank name fraud" to "Financial institution name fraud". This amendment clarifies that the scope of the new section includes financial institutions other than banks. As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2254, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2254, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

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ROBERT N. HERKES, Chair

State of Hawaii House of Representatives The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:	Committee Referral:		Date:	
нв 2254	CPC, JUD	0	1/2/100	
☐ The committee is reconsidering its prev			•	
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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
		Ayes (WK)	Ivays	Lacused
1. HERKES, Robert N. (C)	X			
2. McKELVEY, Angus L.K. (VC)	X			SA HIJAGE SA BONN SA HINNE HINE
3. EVANS, Cindy	Y			
4. GREEN, Josh, M.D.	Y			25,100
5. ITO, Ken				# HIM
6. LUKE, Sylvia				P
7. MORITA, Hermina M. 8. SONSON, Alex M.	X			Λ.
9. SOUKI, Joseph M.	**	146		
10. TSUJI, Clift				
11. YAMANE, Ryan I.	<u> </u>			
12. YAMASHITA, Kyle T.	X			
13. MARUMOTO, Barbara C.	- Y			
14. THIELEN, Cynthia	- 			
				7,50,575
,				
3				
TOTAL (14)	12			R
The recommendation is: Adopted				
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				