



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **662**

May 24, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on May 24, 2006, the following bill was signed into law:

SB696 SD1 HD2 CD1

A BILL FOR AN ACT RELATING TO
CRIMINAL HISTORY RECORD INFORMATION.
(ACT 132)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

on MAY 24 2006

THE SENATE
TWENTY-THIRD LEGISLATURE, 2005
STATE OF HAWAII

S.B. NO. 696
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO CRIMINAL HISTORY RECORD INFORMATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 846-1, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "Criminal history record check" means a search by name
5 using the state computerized criminal history record information
6 system, and by fingerprints using the state automated
7 fingerprint identification system.

8 "Criminal history record name inquiry" means a search by
9 name and other identifying information using the state
10 computerized criminal history record information system."

11 SECTION 2. Section 846-10.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 **"§846-10.5 Fees.** (a) Except for services provided to
14 criminal justice agencies and state or county agencies for
15 employment purposes, the Hawaii criminal justice data center and
16 state and county criminal justice agencies shall assess the
17 following fees for services provided or to be provided, which



1 shall be deposited into the criminal history record improvement
2 revolving fund:

3 (1) For each criminal history record [~~name~~] check~~[,]~~ or
4 criminal history record name inquiry conducted by the
5 data center~~[,]~~ and other state and county agencies,
6 [~~\$15,~~] \$20;

7 (2) For each criminal history record name [~~check,~~] inquiry
8 via [~~a public access terminal,~~] an electronic database
9 maintained by the data center that is accessible to
10 users through an interactive computer-based system,
11 for which a certified printout is requested, \$10 per
12 printout;

13 [~~(3) For each fingerprint based search of the automated~~
14 ~~fingerprint identification system or manual~~
15 ~~fingerprint files, \$25;~~

16 ~~(4)]~~ (3) For processing of each application for the
17 expungement of arrest records, \$25;

18 [~~(5)]~~ (4) For certification of documents, \$10 per document;

19 [~~(6)]~~ (5) For each duplicate expungement certificate
20 requested, \$15; and

21 [~~(7)]~~ (6) For each complete set of fingerprints taken, \$15.

1 (b) Criminal history record checks mandated for child care
2 facilities shall be exempt from the requirement to pay fees.

3 (c) Nonprofit charitable organizations that are tax-exempt
4 under Internal Revenue Code Section 501(c)(3) shall be exempt
5 from fees for criminal history record checks conducted on adult
6 volunteers having direct contact with minors[-], the elderly, or
7 the disabled.

8 (d) Any other law to the contrary notwithstanding, the
9 data center may adopt rules pursuant to chapter 91 to establish
10 reasonable fees for services provided by the data center and to
11 establish other exemptions from the requirement to pay fees."

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on July 1, 2006.




GOVERNOR OF THE STATE OF HAWAII


Approved this day: MAY 24 2006

THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


President of the Senate



Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: May 2, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.


Speaker, House of Representatives


Clerk, House of Representatives