
A BILL FOR AN ACT

MAKING EMERGENCY APPROPRIATIONS FOR THE DEPARTMENT OF THE
ATTORNEY GENERAL.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The purposes of this Act are to make an
5 appropriation out of the general revenues of the State of Hawaii
6 to be deposited into the DNA registry special fund, to make an
7 appropriation out of the DNA registry special fund to pay for
8 costs associated with the implementation of Act 112, Session
9 Laws of Hawaii 2005, and to make an appropriation out of the
10 general revenues of the State of Hawaii to pay for costs
11 associated with the implementation of Act 133, Session Laws of
12 Hawaii 2005.

13 Act 112 provides that any person, except for any juvenile,
14 who is convicted of, or pleads guilty or no contest to, any
15 felony offense, even if the plea is deferred, or is found not
16 guilty by reason of insanity of any felony offense, shall
17 provide buccal swab samples; and provides for the analysis of



1 the samples collected. Act 112 requires that testing begin
2 immediately for all persons who have been convicted of murder in
3 any degree or any felony offense defined in chapter 846E, Hawaii
4 Revised Statutes, and for other persons thirty days after
5 statewide publication of notice, which may be provided in
6 stages, by the attorney general. Act 112 provides no funding
7 for these purposes.

8 Act 133 provides that the department of the attorney
9 general may administer programs for the prevention of sexual
10 violence and the protection and treatment of victims of sexual
11 violence. Act 133 provides no funding for this purpose.

12 These emergency appropriations are necessary to implement
13 Act 112 and Act 133. Included in these emergency appropriations
14 are:

- 15 (1) The sum of \$ for the purchase of buccal swab
16 collection kits and for mailing costs;
- 17 (2) The sum of \$ for costs related to collecting
18 buccal swab samples;
- 19 (3) The sum of \$ for costs related to analyzing the
20 samples collected; and

1 (4) The sum of \$ for programs for the prevention of
2 sexual violence and the protection and treatment of
3 victims of sexual violence.

4 SECTION 3. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of or so much
6 thereof as may be necessary for fiscal year 2005-2006 to be
7 deposited into the DNA registry special fund.

8 The sum appropriated shall be expended by the department of
9 the attorney general to carry out the purposes of this Act.

10 SECTION 4. There is appropriated out of the DNA registry
11 special fund, established by section 706-603, Hawaii Revised
12 Statutes, the sum of \$ or so much thereof as may be
13 necessary for fiscal year 2005-2006 to carry out the purposes of
14 this Act.

15 The sum appropriated shall be expended by the department of
16 the attorney general to carry out the purposes of the special
17 fund, including reimbursement to the county police departments
18 and to the judiciary for costs incurred in carrying out the
19 purposes of Act 112, Session Laws of Hawaii 2005.

20 SECTION 5. There is appropriated out of the general
21 revenues of the State of Hawaii the sum of \$ or so much

1 thereof as may be necessary for fiscal year 2005-2006 to carry
2 out the purposes of Act 133, Session Laws of Hawaii 2005.

3 The sum appropriated shall be expended by the department of
4 the attorney general.

5 SECTION 6. Any provision of this Act to the contrary
6 notwithstanding, the appropriations authorized under this Act
7 shall not lapse at the end of the fiscal year for which the
8 appropriations are made. All unexpended and unencumbered
9 balances of the appropriations made in this Act as of the close
10 of business on June 30, 2007, shall lapse.

11 SECTION 7. This Act shall take effect upon its approval.



Report Title:

DNA registry special fund; emergency appropriations

Description:

Makes an appropriation out of the general fund to be deposited into the DNA registry special fund. Makes an appropriation out of the DNA registry special fund to pay for costs associated with the implementation of Act 112, SLH 2005. Appropriates monies out of the general fund to pay for costs associated with the implementation of Act 133, SLH 2005. (HB2278 HD1)

