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# 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~~[7]~~ or  
4 criminal history record name inquiry conducted by the  
5 data center~~[7]~~ and other state and county agencies,  
6 [~~\$157~~] \$20;

7 (2) For each criminal history record name [~~check7~~] inquiry  
8 via [~~a public access terminal7~~] 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, \$257~~

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, 2020.

SB 696 SD1

HD2

**Report Title:**

Criminal history record info

**Description:**

Provides a single fee for criminal history record checks by name, fingerprints, and other identifying information conducted by the Hawaii Criminal Justice Data Center and other state and county agencies. Updates the fee schedule for criminal history record check services to include criminal history record checks done via the Internet. Extends the fee exemption to include nonprofit charitable organizations for criminal history record checks conducted on adult volunteers having direct contact with the elderly and disabled. Effective July 1, 2020. (SB696 HD2)

