

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2282  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2282 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 846E,"

begs leave to report as follows:

The purpose of this bill is to promote public safety under Hawaii's law relating to the registration of sex offenders and other covered offenders and public access to registration information (sex offender registration law) by:

- (1) Amending the definition of "repeat covered offender" to expressly except conviction of multiple counts within a single charging document;
- (2) Adding conviction for a covered offense, unless incarcerated and released on probation, as events requiring a covered offender to register with the Attorney General;
- (3) Clarifying that the prosecuting agency that prosecuted the covered offender for the most recent covered offense within the state represent the State in any civil proceeding to terminate public access;
- (4) Requiring that a covered offender required to register under the sex offender registration law:



- (A) Notify the Attorney General if the offender has been absent from the offender's registered residence for ten or more days and has failed to establish a new residence; and
- (B) Report to a police station on the first and fifteenth day of every month until a new residence is established and registered, and disclose where the offender has slept in the two previous weeks;

and

- (5) Making the failure to meet the above reporting requirements the offense of failure to comply with covered offender registration requirements.

The Attorney General testified in support of this bill. The American Civil Liberties Union Hawai'i and a concerned individual opposed this measure. The Office of the Public Defender provided comments.


Your Committee has amended this bill by:

- (1) Removing requirements that a covered offender required to register under the sex offender registration law:
  - (A) Notify the Attorney General if the offender has been absent from the offender's registered residence for ten or more days and has failed to establish a new residence; and
  - (B) Report to a police station on the first and fifteenth day of every month until a new residence is established and registered, and disclose where the offender has slept in the two previous weeks;
- (2) Removing the failure to meet the above reporting requirements from the offense of failure to comply with covered offender registration requirements;
- (3) Changing the effective date to July 1, 2069, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.



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 H.B. No. 2282, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2282, H.D. 1, and be placed on the calendar for Third Reading.

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

*for:*   
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SYLVIA LUKE, Chair



