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## A BILL FOR AN ACT

RELATING TO SEX OFFENDER REGISTRATION.

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

1           SECTION 1. The federal Sex Offender Registration and  
2 Notification Act is Title I of the Adam Walsh Child Protection  
3 and Public Safety Act of 2006, Public Law No. 248-109, ("the  
4 Act"). The Act requires the fifty states, the District of  
5 Columbia, the five principal United States territories, and  
6 federally recognized Indian tribes that function as sex offender  
7 registration jurisdictions to conform their laws to guidelines  
8 for sex offender registration adopted by the Department of  
9 Justice by July 29, 2009. Failing substantial compliance with  
10 the guidelines, a jurisdiction faces the loss of ten per cent of  
11 any federal funds it may receive pursuant to the Edward Byrne  
12 Memorial Justice Assistance Grant program.

13           SECTION 2. (a) There is established the Adam Walsh Act  
14 compliance working group. The working group shall be comprised  
15 of the following:

- 16           (1) The attorney general;
- 17           (2) The director of public safety;
- 18           (3) The director of the office of youth services;



- 1 (4) The state public defender;
- 2 (5) The administrative director of the courts;
- 3 (6) The chief of police of the city and county of  
4 Honolulu;
- 5 (7) A member of the Hawaii Prosecuting Attorneys  
6 Association; and
- 7 (8) A representative of a victim advocacy program who is  
8 not employed with an agency or entity otherwise  
9 represented on the working group and who shall be  
10 selected by the attorney general.
- 11 (b) The working group shall:
- 12 (1) Determine what Hawaii laws, including but not limited  
13 to chapter 846E, Hawaii Revised Statutes, need to be  
14 amended and what new laws need to be enacted to comply  
15 with the Act and the guidelines implementing it;
- 16 (2) Identify the resources necessary for the State to  
17 implement any new or amended laws necessary for  
18 compliance with the Act and the guidelines  
19 implementing it;
- 20 (3) Identify all sources of funding, including federal  
21 grants and legislative appropriations, available to



1           implement programs necessary for compliance with the  
2           Act and the guidelines implementing it;

3           (4) Consider whether the additional costs entailed by  
4           compliance with the Act and the guidelines  
5           implementing it outweigh the Edward Byrne Memorial  
6           Justice Assistance Grant funds that would be retained  
7           by compliance and any other benefits attributable to  
8           compliance; and

9           (5) Draft proposed legislation necessary to bring the  
10          State into compliance with the Act and the guidelines  
11          implementing it.

12          (c) The department of the attorney general shall provide  
13          the administrative, technical, and clerical support services  
14          necessary to assist the working group in achieving its purpose  
15          as required under this Act.

16          (d) The working group shall submit a report of its  
17          findings and recommendations, including any proposed legislation  
18          necessary for compliance with the Act and the guidelines  
19          implementing it, no later than twenty days prior to the  
20          convening of the regular session of 2009.

21          (e) The Adam Walsh Act compliance working group shall  
22          cease to exist after June 30, 2009.



# H.B. NO. 2998


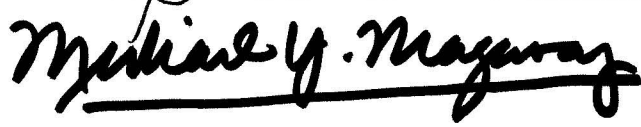

1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so much  
3 thereof as may be necessary for fiscal year 2008-2009 for the  
4 purpose of supporting the work of the Adam Walsh Act compliance  
5 working group.

6 The sum appropriated shall be expended by the department of  
7 the attorney general for the purposes of this Act.

8 SECTION 4. This Act shall take effect upon its approval,  
9 except that section 3 shall take effect on July 1, 2008.

10

INTRODUCED BY:

JAN 22 2008



**Report Title:**

Sex Offender Registration; Adam Walsh Act

**Description:**

Establishes a working group to determine what changes to Hawaii law are necessary to comply with the federal Adam Walsh Act. Requires working group also to determine whether cost of compliance outweighs loss of 10% of Department of Justice grant funds that will result from noncompliance by 07/27/09.

