
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 Adam Walsh Act"). The Adam Walsh Act requires the 50 states,
5 the District of Columbia, the five principal United States
6 territories, and federally recognized Indian tribes that
7 function as sex offender registration jurisdictions to conform
8 their laws to guidelines for sex offender registration adopted
9 by the Department of Justice by July 29, 2009. Failing
10 substantial compliance with the guidelines, a jurisdiction faces
11 the loss of ten per cent of any federal funds it may receive
12 pursuant to the Edward Byrne Memorial Justice Assistance Grant
13 program.

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

- 17 (1) The attorney general;
- 18 (2) The director of public safety;



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



1 compliance with the Adam Walsh Act and the guidelines
2 implementing it;

3 (3) Identify all sources of funding, including federal
4 grants and legislative appropriations, available to
5 implement programs necessary for compliance with the
6 Adam Walsh Act and the guidelines implementing it;

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

13 (5) Review the provisions of H.B. No. 3040 and H.B. No.
14 3040, H.D. 1, as those measures pertain to the sex
15 offender registry laws; and

16 (6) Draft proposed legislation necessary to bring the
17 State into compliance with the Adam Walsh Act and the
18 guidelines implementing it.

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



1 (d) The working group shall submit a report of its
2 findings and recommendations, including any proposed legislation
3 necessary for compliance with the Adam Walsh Act and the
4 guidelines implementing it to the legislature, no later than
5 twenty days prior to the convening of the regular session of
6 2009.

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

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

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

16 SECTION 4. This Act shall take effect upon its approval,
17 except that section 3 shall take effect on July 1, 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 percent of Department of Justice grant funds that will result from noncompliance by July 29, 2009. (SD1)

