
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, (Adam
4 Walsh Act). The Adam Walsh Act requires the fifty states, the
5 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 by July 29, 2009, to guidelines for sex offender
9 registration adopted by the Department of Justice. If a
10 jurisdiction fails to substantially comply with the guidelines,
11 the jurisdiction faces the loss of ten per cent of any federal
12 funds it may receive pursuant to the Edward Byrne Memorial
13 Justice Assistance Grant 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 which Hawaii laws, including chapter 846E,
 - 18 Hawaii Revised Statutes, need to be amended and
 - 19 whether any new laws need to be enacted to comply with
 - 20 the Adam Walsh Act and the Department of Justice
 - 21 guidelines implementing it;



- 1 (2) Identify what resources are necessary for the State to
2 implement any new or amended laws to comply with the
3 Adam Walsh Act and the Department of Justice
4 guidelines implementing it;
- 5 (3) Identify all sources of funding, including federal
6 grants and legislative appropriations, that may be
7 available to implement programs necessary for
8 compliance with the Adam Walsh Act and the Department
9 of Justice guidelines implementing it;
- 10 (4) Consider whether the additional costs that may be
11 incurred to comply with the Adam Walsh Act and the
12 Department of Justice guidelines implementing it
13 outweigh the Edward Byrne Memorial Justice Assistance
14 Grant funds that would be retained by compliance and
15 any other benefits attributable to compliance;
- 16 (5) Review the provisions of House Bill No. 3040 (2008)
17 and House Bill No. 3040, H.D. 1 (2008), as those
18 measures pertain to the sex offender registry laws;
19 and
- 20 (6) Draft proposed legislation necessary to bring the
21 State into compliance with the Adam Walsh Act and the
22 Department of Justice guidelines implementing it.



1 (c) The department of the attorney general shall convene
2 the working group and provide the administrative, technical, and
3 clerical support services necessary to assist the working group
4 in achieving its purpose as required under this Act.

5 (d) The working group shall submit a report of its
6 findings and recommendations, including any proposed legislation
7 to the legislature, no later than twenty days prior to the
8 convening of the regular session of 2009.

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

11 SECTION 3. This Act shall take effect upon its approval.



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 the working group to determine whether the cost of compliance outweighs the loss of certain grant funds that will result if the State does not comply with the Adam Walsh Act by July 29, 2009. (HB2998 SD2)

