

STAND. COM. REP. NO.

61

Honolulu, Hawaii

FEB 13 2009

RE: S.B. No. 111

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 111 entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to establish the priority of the payment of DNA analysis fees in relation to the payment of other fees that a court may order a defendant who is convicted of a felony offense to pay.

Your Committee received testimony in support of this measure from the Judiciary-Adult Client Services Branch.

Current law is silent as to when the DNA analysis monetary assessment must be paid by a convicted felon into the DNA registry special fund under section 706-603, Hawaii Revised Statutes. This measure provides for the assessment to be paid as the third order of priority after restitution (first order of priority) and the crime victim compensation fee (second order of priority). The Judiciary stated that this measure clarifies any confusion on the priority of fees that may be assessed by the courts.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 111 and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.



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Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,




BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 111	JGO, WAM	2/6/09		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	6	0	0	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes