

STAND. COM. REP. NO.

2532

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2153  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2153, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DNA ANALYSIS FEE,"

begs leave to report as follows:

The purpose of this measure is to require defendants who obtain deferral of their pleas and felony offenders who transfer to Hawaii under an interstate compact to pay the DNA analysis fee or associated costs.

Your Committee received comments in support of this measure from the Judiciary and the Department of the Prosecuting Attorney of the City and County of Honolulu. The written comments may be reviewed on the Legislature's website.

Your Committee finds that defendants convicted of, who obtain a deferred plea for, or who are found not guilty by reason of insanity for a felony are required to provide a DNA sample and hand print. As part of the disposition of a case, however, only convicted defendants are currently required to pay the assessment or cost. Your Committee believes that defendants with deferred pleas or other dispositions should not be relieved of an obligation to pay for a DNA analysis.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2153, S.D. 1, and recommends that it pass Third Reading.

SB2153 SD1 SSCR LRB 10-1912.doc



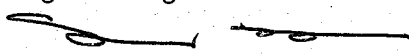
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONNA MERCADO KIM, Chair



The Senate  
 Twenty-Fifth Legislature  
 State of Hawaii

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2153 SD1	JGO, WAM	2-23-10		
<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
KIM, Donna Mercado (C)	/			
TSUTSUI, Shan S. (VC)	/			
CHUN OAKLAND, Suzanne	/			
ENGLISH, J. Kalani	/			
FUKUNAGA, Carol				/
GALUTERIA, Brickwood	/			
HEE, Clayton				/
HOOSER, Gary L.	/			
KIDANI, Michelle N.	/			
KOKUBUN, Russell S.				/
TOKUDA, Jill N.	/			
HEMMINGS, Fred				/
<b>TOTAL</b>	<b>4</b>	<b>0</b>	<b>0</b>	<b>4</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes