

STAND. COM. REP. NO. 1047

Honolulu, Hawaii

March 22, 2011

RE: S.B. No. 52
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 52, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REGISTRATION OF SEX OFFENDERS,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Require persons convicted of a violation of privacy in the first degree to register as sex offenders;
- (2) Allow offenders registered as a result of a conviction for a violation of privacy in the first degree who have substantially complied with registration requirements for ten years, and are not repeat offenders to petition the court for termination of registration requirements; and
- (3) Apply this measure retroactively to any person who is or was:
 - (A) Convicted at any time of a violation of privacy in the first degree; or
 - (B) Charged at any time of a violation of privacy in the first degree, but:

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- (i) Is or was found unfit to proceed against the charges, and is currently released into the community; or
- (ii) Is or was acquitted due to physical or mental disease, disorder, or defect and is or was released into the community.

The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, and a concerned individual testified in support of this measure. A concerned individual supported this bill with amendments.

Your Committee has amended this measure by including section 712-1202(a), Hawaii Revised Statutes, which relates to the promotion of prostitution in the first degree by knowingly advancing prostitution by compelling a person by force, threat, or intimidation to engage in prostitution, or by profiting from such coercive conduct by another, in those sex offenses for which persons convicted must register as sex offenders.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 52, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 52, S.D. 1, H.D. 1, and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


GILBERT KEITH-AGARAN, Chair



