

STAND. COM. REP. NO. 1576

Honolulu, Hawaii
April 8, 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 Finance, to which was referred S.B. No. 52,
S.D. 1, H.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 add the following offenses to
the definition of "sexual offense" under Chapter 846, Hawaii
Revised Statutes (HRS), the Hawaii Criminal Justice Data Center;
Civil Identification Law, thereby requiring persons convicted of
those offenses to register as sex offenders:

- (1) Promoting prostitution in the first degree, with respect
to a person advancing prostitution by compelling a
person by force, threat, or intimidation to engage in
prostitution, or profit from such coercive conduct by
another; and
- (2) Violation of privacy in the first degree.

The Department of the Attorney General, Department of the
Prosecuting Attorney of the City and County of Honolulu, Imua
Alliance, and several concerned individuals supported this bill.

SB52 HD1 HSCR FIN HMS 2011-3489



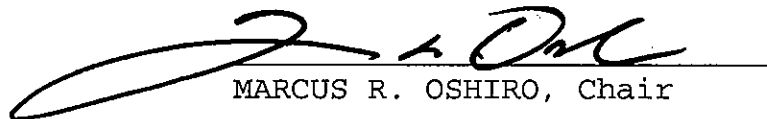
Your Committee notes that this bill applies retroactively to any person who is or was:

- (1) Convicted at any time of a violation of privacy in the first degree; or
- (2) Charged at any time of a violation of privacy in the first degree, and:
 - (A) Is currently or was previously found unfit to proceed against the charges and is currently or was previously released into the community; or
 - (B) Is currently or was previously acquitted due to a physical or mental disease, disorder, or defect pursuant to Chapter 704, HRS, the Penal Responsibility and Fitness to Proceed Law, and is currently or was previously released into the community.

It is your Committee's intent that the provisions in this bill apply retroactively to civil penalties only, and not to criminal penalties for past criminal acts.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 52, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

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



MARCUS R. OSHIRO, Chair



