

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 1777  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1777 entitled:

"A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS,"

begs leave to report as follows:

The purpose of this measure is to create a criminal long-arm statute to authorize district and circuit court judges in the State to order the production of records held by entities located outside of the State.

The Department of the Prosecuting Attorney of the City and County of Honolulu testified in support of this measure. The Judiciary provided comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the definition of "summons" under section 836-1, Hawaii Revised Statutes, to clarify that the term includes both subpoenas ad testificandum and subpoenas duces tecum;
- (2) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.



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 H.B. No. 1777, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1777, H.D. 1, and be referred to the Committee on Finance.

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

  
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GILBERT KEITH-AGARAN, Chair



