

STAND. COM. REP. NO. 2269

Honolulu, Hawaii

FEB 16 2012

RE: S.B. No. 2731

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Public Safety, Government Operations, and Military Affairs, to which was referred S.B. No. 2731 entitled:

"A BILL FOR AN ACT RELATING TO SEX OFFENDER REGISTRATION,"

begs leave to report as follows:

The purpose and intent of this measure is to update the current laws on sex offender registration to address issues that have arisen in the implementation of the sex offender registration law by:

- (1) Adding comparable foreign convictions and tribal convictions to covered offenses for which registration is required;
- (2) Amending the definition of conviction to clarify that a conviction, for purposes of sex offender registration, occurs on the date judgment is entered;
- (3) Clarifying the definition of sexual offense to include certain acts that are an attempt, criminal solicitation, or criminal conspiracy to commit certain sexual offenses;
- (4) Repealing the definitions of "mental abnormality," "personality disorder," and "predatory," which are no longer used in the chapter;
- (5) Requiring offenders who are subject to sex offender registration or notification in their jurisdiction of



conviction, to also register as sex offenders in Hawaii law;

- (6) Clarifying that a covered offender must register and report the offender's permanent residence or address of current temporary residence, or, if an address is not available, a description of the place or area in which the covered offender resides, whether or not a Hawaii resident, if the offender remains in the State for more than ten days or an aggregate period exceeding thirty days in one calendar year;
- (7) Clarifying that covered offenders who do not have registered residences to which the post office can deliver mail, and therefore cannot receive the ninety-day verification mailings, are required to report to any police station once per month;
- (8) Adding an element to the offense of failure to comply with covered offender registration requirements of failure to report to any police station in the State by the last day of every month for verification of registration information; and
- (9) Creating a tier classification for any covered sexual offenses that are not included within the current tier classification law.

Your Committee received testimony in support of this measure from the State Attorney General and the Kauai Prosecuting Attorney.

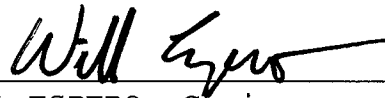
Your Committee finds that this measure strengthens current law to enhance the protection of the public by addressing certain deficiencies that may allow registered sex offenders to elude monitoring, as intended by the sex offender registration law.

According to testimony of the Attorney General, the title of this measure may be too narrow to include some of its provisions. Your Committee believes this measure is sufficiently important to pass out on Second Reading, although perhaps a short form bill with the proper title might be more suitable. The Attorney General should be prepared with such a bill or to amend this bill in your Committee on Judiciary and Labor.



As affirmed by the record of votes of the members of your Committee on Public Safety, Government Operations, and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2731 and recommends that it pass Second Reading and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,
Government Operations, and
Military Affairs,

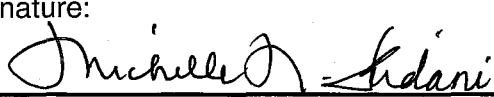


WILL ESPERO, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety, Government Operations, and
Military Affairs
PGM

| | | | | |
|---|--|-------------------------|----------|-------------------------------------|
| Bill / Resolution No.:* SB 2731 | Committee Referral: PGM, JDL | Date: 2-14-12 | | |
| <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 checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| ESPERO, Will (C) | <input checked="" type="checkbox"/> | | | |
| KIDANI, Michelle N. (VC) | <input checked="" type="checkbox"/> | | | |
| BAKER, Rosalyn H. | <input checked="" type="checkbox"/> | | | |
| RYAN, Pohai | | | | <input checked="" type="checkbox"/> |
| SLOM, Sam | | | | <input checked="" type="checkbox"/> |
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| TOTAL | 3 | 0 | 0 | 2 |
| Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature:  | | | | |
| Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | |

*Only one measure per Record of Votes