
A BILL FOR AN ACT

RELATING TO PRODUCTION OF RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 806D-4, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§806D-4 Service of process issued by or in another**
4 **state.** (a) When a [~~Hawaii recipient~~] person or business, as
5 defined in section 487J-1, located in Hawaii, is properly served
6 with process issued by or in another state[~~7~~] that commands the
7 production of records in the actual or constructive possession
8 of that person or business, and such process on its face
9 purports to be a valid [~~criminal process~~,] process based on a
10 pending criminal investigation or prosecution in that other
11 state, the [~~Hawaii recipient~~] person or business shall comply
12 with that process as if that process had been issued by a Hawaii
13 court[~~7~~]; provided that the issuing state has a statute
14 authorizing the production of records held by out-of-state
15 persons or businesses.
16 (b) The service of process issued by or in another state
17 shall include the following information:



- 1 (1) The name, office, business address, telephone number,
2 and e-mail address of the person applying for the
3 issuance of the service of process;
- 4 (2) The criminal statute authorizing the production of
5 records held by out-of-state persons or businesses;
6 and
- 7 (3) The relevant criminal statutes upon which the pending
8 investigation or prosecution is based."

9 SECTION 2. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun, before the effective date of this Act.

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Production of Records; Service of Process; Criminal Long-Arm Statute

Description:

Clarifies the criminal process records law relating to the service of process issued by or in another state upon a Hawaii recipient by specifying upon whom the service of process may be made, the type of process applicable, and information that shall be provided. Requires that the requesting state has a statute authorizing the production of records held by out-of-state persons or businesses. (HB785 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

