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# 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.** When a [~~Hawaii recipient~~] person or business, as defined  
5 in section 487J-1, located in Hawaii, excluding any government  
6 agency, is properly served with process issued by or in another  
7 state[-] that commands the production of records in the actual  
8 or constructive possession of that person or business, and such  
9 process on its face purports to be a valid [~~criminal process,~~  
10 process based on a pending criminal investigation or prosecution  
11 in that other state, the [~~Hawaii recipient~~] person or business  
12 shall comply with that process as if that process had been  
13 issued by a Hawaii court[-]; provided that the person or  
14 business has conducted business or engaged in transactions  
15 occurring at least in part in the issuing state."

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



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2050.

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**Report Title:**

Records; Production; Out of State Service of Process

**Description:**

Amends section 306D-4, HRS, to allow for the service of process issued by another state upon a Hawaii recipient and clarifies the following: (1) that the service of process may be upon a person or business, but not a government agency; (2) that the process is for the production of records; (3) that the process must be based upon a pending criminal investigation or prosecution; and (4) that the person or business being served must have conducted business or engaged in transactions occurring at least in part in the issuing state. Effective 07/01/50. (SD1)

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

