

JAN 18 2013

S.B. NO. 828

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# A BILL FOR AN ACT

RELATING TO EVIDENCE.

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

1           SECTION 1. The legislature finds that Act 210, Session  
2 Laws of Hawaii 2008, temporarily established a limited news  
3 media privilege against the compelled disclosure of sources and  
4 unpublished information to a legislative, executive, or judicial  
5 officer or body, or to any other person who may compel  
6 testimony. Subsequently, Act 113, Session Laws of Hawaii 2011,  
7 extended the repeal date of Act 210, Session Laws of Hawaii  
8 2008, from June 30, 2011, to June 30, 2013, and required the  
9 judiciary, through its standing committee on rules of evidence,  
10 to report to the legislature and recommend whether to:

11           (1) Retain the current statutory enactment of Act 210,  
12           Session Laws of Hawaii 2008, under chapter 621, Hawaii  
13           Revised Statutes;

14           (2) Codify Act 210, Session Laws of Hawaii 2008, under  
15           chapter 626, Hawaii Revised Statutes; or

16           (3) Allow Act 210, Session Laws of Hawaii 2008, to be  
17           repealed.



1 In December 2011, the supreme court standing committee on  
 2 the rules of evidence submitted a report to the legislature  
 3 recommending that the sunset provision under Act 210, Session  
 4 Laws of Hawaii 2008, be repealed and the news media privilege be  
 5 codified under chapter 621, Hawaii Revised Statutes.

6 The purpose of this Act is to enact the recommendation made  
 7 by supreme court standing committee on the rules of evidence by  
 8 repealing the sunset date under Act 210, Session Laws of Hawaii  
 9 2008, as amended by Act 113, Session Laws of Hawaii 2011, and  
 10 making permanent the news media privilege.

11 SECTION 2. Act 210, Session Laws of Hawaii 2008, as  
 12 amended by Act 113, Session Laws of Hawaii 2011, is amended by  
 13 amending section 3 to read as follows:

14 "SECTION 3. This Act shall take effect upon its approval  
 15 [~~and shall be repealed on June 30, 2013~~]."

16 SECTION 3. Statutory material to be repealed is bracketed  
 17 and stricken.

18 SECTION 4. This Act shall take effect on June 29, 2013.

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INTRODUCED BY: *[Signature]*  
*Elizabeth Chen Oakland*

# S.B. NO. 828

**Report Title:**

Evidence; News Media Privilege

**Description:**

Makes permanent the limited news media privilege against the compelled disclosure of sources and unpublished sources.

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

