
A BILL FOR AN ACT

RELATING TO DNA COLLECTION FROM PERSONS CHARGED OF CERTAIN
CRIMES.

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

1 SECTION 1. Section 844D-31, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Any person, except for any juvenile, who [~~is~~
4 ~~convicted~~]:

5 (1) Is convicted of [~~or pleads~~] any felony offense;

6 (2) Pleads guilty or no contest to [~~or~~] any felony offense,
7 even if the plea is deferred [~~or is~~];

8 (3) Is found not guilty by reason of insanity of any
9 felony offense [~~or~~]; or

10 (4) Is arraigned upon an information, complaint, or
11 indictment pursuant to chapter 806 on a charge of
12 having committed any class A or B felony offense,

13 shall provide buccal swab samples and print impressions of each
14 hand, and, if required by the collecting agency's rules or
15 internal regulations, blood specimens, required for law
16 enforcement identification analysis."



1 SECTION 2. Section 844D-34, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~f~~]\$844D-34[~~t~~] Collection from persons confined or in
4 custody after arraignment, conviction, or adjudication. A
5 person, except for any juvenile, shall provide buccal swab
6 samples and print impressions and, if required by the collecting
7 agency's rules or internal regulations, blood specimens,
8 immediately at intake, or during the prison reception center
9 process, or as soon as administratively practicable at the
10 appropriate custodial or receiving institution or program if:

11 (1) The person is imprisoned or confined or placed in a
12 state correctional facility, a county correctional
13 facility, the department of public safety, a
14 residential treatment program, or any state, county,
15 private, or other facility [~~after a conviction~~]:
16 (A) After a conviction of any felony offense; or
17 (B) At the time of arraignment upon an information,
18 complaint, or indictment pursuant to chapter 806
19 on a charge of having committed any class A or B
20 felony offense;

21 (2) The person has a record of any past or present
22 conviction of a qualifying offense described in



1 section 844D-31 or has a record of any past or present
2 conviction or adjudication in any other court,
3 including any state, federal, or military court, of
4 any offense, that, if committed or attempted in this
5 State, would have been punishable as an offense
6 described in section 844D-31; and

7 (3) The person's blood specimens or buccal swab samples,
8 and print impressions authorized by this chapter are
9 not in the possession of the department or have not
10 been recorded as part of the state DNA database and
11 data bank identification program."

12 SECTION 3. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$ or so
14 much thereof as may be necessary for fiscal year 2014-2015 to be
15 deposited into the DNA registry special fund.

16 SECTION 4. There is appropriated out of the DNA registry
17 special fund the sum of \$ or so much thereof as may be
18 necessary for fiscal year 2014-2015 for reimbursements to county
19 police departments for expenses related to the collection and
20 processing of DNA buccal swab samples, print impressions, and
21 specimens made pursuant to this Act.



1 The sum appropriated shall be expended by the department of
2 the attorney general for the purposes of this Act.

3 SECTION 5. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 6. This Act shall take effect upon its approval;
6 provided that sections 3 and 4 of this Act shall take effect on
7 July 1, 2014.

8

INTRODUCED BY:



JAN 21 2014



H.B. NO. 2193

Report Title:

Crime; Felonies; DNA Collection; Appropriation

Description:

Requires DNA collection from persons who are formally charged with any class A or B felony. Makes appropriation to reimburse counties.

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