
A BILL FOR AN ACT

RELATING TO CHILD ABUSE.

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

1 SECTION 1. The legislature finds that due to a lack of
2 dedicated resources, only about two per cent of known child
3 exploitation offenders are being investigated. Alicia's Law is
4 an initiative that builds state capacity to combat crimes
5 against children by seeking funding for internet crimes against
6 children task forces. Alicia's Law was named for Alicia
7 Kozakiewicz, who was abducted by an internet predator and
8 sexually abused.

9 The purpose of this Act is to help combat internet crimes
10 against children by establishing an internet crimes against
11 children fee and a special fund for fighting child pornographers
12 and helping child victims.

13 SECTION 2. The Hawaii Revised Statutes is amended by
14 adding a new chapter to be appropriately designated and to read
15 as follows:



1 "CHAPTER

2 INTERNET CRIMES AGAINST CHILDREN

3 § -1 Short title. This chapter shall be known as and
4 may be cited as "Alicia's Law".

5 § -2 Definitions. As used in this chapter, unless the
6 context otherwise requires:

7 "Child pornography" has the same meaning as in section
8 707-750.

9 "Internet crimes against children" means promoting or
10 soliciting child abuse in the first degree under section 707-
11 750, promoting or soliciting child abuse in the second degree
12 under section 707-751, promoting or soliciting child abuse in
13 the third degree under section 707-752, electronic enticement of
14 a child in the first degree under section 707-756, electronic
15 enticement of a child in the second degree under section 707-
16 757, performing or soliciting indecent electronic display to a
17 child under section 707-759, or promoting pornography for minors
18 under section 712-1215.

19 § -3 Internet crimes against children fee. (a) The
20 court shall order every defendant to pay an internet crimes
21 against children fee of \$ for each felony or misdemeanor

1 conviction; provided that no fee shall be ordered when the court
2 determines that the defendant is unable to pay the fee.

3 (b) When a defendant is also ordered to pay a fine, make
4 restitution, pay a crime victim compensation fee, or pay other
5 fees in addition to the internet crimes against children fee,
6 payments by the defendant shall be made in the order of priority
7 established under section 706-648.

8 (c) The defendant shall pay the internet crimes against
9 children fee to the clerk of the court. The fee shall be
10 deposited with the director of finance who shall transmit the
11 fee to the internet crimes against children special fund
12 pursuant to section -4.

13 **§ -4 Internet crimes against children special fund;**

14 **established.** (a) There is established in the state treasury
15 the internet crimes against children special fund, into which
16 shall be deposited:

- 17 (1) All fees collected pursuant to section -3;
- 18 (2) Moneys appropriated by the legislature to the fund;
- 19 (3) Other grants and gifts made to the fund; and
- 20 (4) The income and capital gains earned by the fund.



1 (b) Moneys in the internet crimes against children special
2 fund shall be expended by the department of the attorney general
3 for the following purposes:

4 (1) To provide training and equipment for local law
5 enforcement agencies' use in investigating and
6 prosecuting internet crimes against children,
7 including funding to increase the forensic capacity of
8 digital evidence; and

9 (2) To enable law enforcement to investigate and prosecute
10 internet crimes against children.

11 The department shall disburse moneys to groups working
12 directly to combat internet crimes against children.

13 (c) All unexpended and unencumbered moneys remaining in
14 the internet crimes against children special fund at the close
15 of each fiscal year that are deemed, by the director of finance,
16 to be in excess of the moneys necessary to carry out the purpose
17 of this section over the following fiscal year shall lapse to
18 the credit of the state general fund."

19 SECTION 3. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so much
21 thereof as may be necessary for fiscal year 2014-2015 to be

1 deposited into the internet crimes against children special fund
2 under section -4, Hawaii Revised Statutes.

3 SECTION 4. There is appropriated out of the internet
4 crimes against children special fund the sum of \$ or so
5 much thereof as may be necessary for fiscal year 2014-2015 for
6 purposes of providing training and equipment to law enforcement
7 and providing internet crime investigators funds to investigate
8 and prosecute internet crimes against children.

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

11 SECTION 5. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun, before the effective date of this Act.

14 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Internet Crimes Against Children Fee; Special Fund; Law Enforcement Training; Alicia's Law

Description:

Establishes an Internet Crimes Against Children Fee for each felony or misdemeanor conviction. Specifies order of priority for collection of fees. Establishes an Internet Crimes Against Children Special Fund to provide training and resources for local law enforcement agencies and investigators. Requires deposit of fees collected into the Special Fund. Appropriates funds. Effective July 1, 2050. (SB702 HD1)

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