
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:

16 "CHAPTER

17 INTERNET CRIMES AGAINST CHILDREN



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

3 § -2 **Definitions.** As used in this chapter, unless the
4 context otherwise requires:

5 "Child" means a person who is under eighteen years of age.

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

8 "Internet crimes against children" means promoting or
9 soliciting child abuse in the first degree under section 707-
10 750, promoting or soliciting child abuse in the second degree
11 under section 707-751, promoting or soliciting child abuse in
12 the third degree under section 707-752, or performing or
13 soliciting indecent electronic display to a child under section
14 707-759.

15 "Victim" means a person who is harmed, injured, or killed
16 by any act or omission of any other person coming within the
17 criminal jurisdiction of the State.

18 § -3 **Internet crimes against children fee.** The court
19 shall impose and collect a fee of \$10 upon every defendant for
20 each felony or misdemeanor conviction. All fees collected
21 pursuant to this section shall be deposited into the internet
22 crimes against children special fund.



1 § -4 Internet crimes against children special fund;
2 established. (a) There is established in the state treasury
3 the internet crimes against children special fund, into which
4 shall be deposited:

- 5 (1) All fees collected pursuant to section -3;
- 6 (2) Moneys appropriated by the legislature to the fund;
- 7 (3) Other grants and gifts made to the fund; and
- 8 (4) The income and capital gains earned by the fund.

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

- 12 (1) To provide training and equipment for local law
13 enforcement agencies' use in investigating and
14 prosecuting internet crimes against children,
15 including funding to increase the forensic capacity of
16 digital evidence; and
- 17 (2) To enable internet crimes investigators to follow the
18 trail of child pornography traffic to locate children
19 in need of protection.

20 The department shall disburse moneys to groups working
21 directly to combat internet crimes against children, including



1 but not limited to law enforcement agencies, the department of
2 public safety, and the department of human services.

3 (c) All unexpended and unencumbered moneys remaining in
4 the internet crimes against children special fund at the close
5 of each fiscal year that are deemed, by the director of finance,
6 to be in excess of the moneys necessary to carry out the purpose
7 of this section over the next following fiscal year shall lapse
8 to the credit of the state general fund."

9 SECTION 3. 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 4. This Act shall take effect on July 1, 2013.

13



Report Title:

Internet Crimes Against Children Fund; Department of the Attorney General; Alicia's Law

Description:

Establishes an internet crimes against children fee upon each felony or misdemeanor conviction. Requires deposit of the fees into an internet crimes against children special fund to provide training and resources for local law enforcement agencies' and investigators' use in investigating and prosecuting internet crimes against children. (SD1)

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