

Honolulu, Hawaii
February 28, 2014

RE: H.B. No. 1975
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1975, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL HISTORY RECORD CHECKS FOR STATE AND COUNTY EMPLOYEES,"

begs leave to report as follows:

The purpose of this measure is to provide certain agencies with the ability to access national criminal history record information as well as state conviction information by:

- (1) Authorizing criminal history record checks by the counties on prospective employees who:
 - (A) Work with children in community-based programs; or
 - (B) Work in fire department or emergency medical services positions that involve contact with vulnerable adults;
- (2) Authorizing criminal history record checks by the State and counties on employees, prospective employees, volunteers, and contractors whose positions require unescorted access to secured areas and equipment related to a traffic management center;
- (3) Authorizing criminal history record checks by the counties on individuals involved in an agency's



information technology operation whose position provides them access to sensitive or confidential information; and

- (4) Expressly allowing counties unrestricted inquiry into the criminal history of prospective employees for positions involving the handling of firearms for other than law enforcement purposes, by exempting the counties from the restrictions that:
 - (A) These inquiries may only take place after the individual has received a conditional job offer; and
 - (B) The inquiries must be limited to the most recent ten-year period.

The Department of Human Resources of the City and County of Honolulu and Honolulu Police Department testified in support of this measure. The Department of Human Resources Development, Department of Transportation, and Hawai'i Civil Rights Commission provided comments on this measure.

It is the intent of this Committee that the amendments made to section 846-2.7, Hawaii Revised Statutes, by this measure be retained when that section, as amended pursuant to Act 93, Session Laws of Hawaii 2012, goes into effect on July 1, 2014.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1975, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary,



KARL RHOADS, Chair



