

STAND. COM. REP. NO.

1194

Honolulu, Hawaii

March 22, 2013

RE: S.B. No. 1016  
S.D. 1  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Public Safety, to which was referred S.B. No. 1016, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REGISTRATION OF COVERED OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to update the covered offender registration law to clarify provisions, address issues that have arisen in implementation, and continue efforts to comply with the federal Sex Offender Registration and Notification Act. Specifically, this measure:

- (1) Amends definitions included in the covered offender registration law for purposes of conforming to federal law, maintaining internal consistency, and deleting obsolete terms;
- (2) Clarifies that covered offenders, whether or not residents of Hawaii, who remain in Hawaii for more than ten days or for an aggregate period exceeding thirty days in one calendar year, are required to register with the Attorney General and provide current permanent and temporary address information;

SB1016 HD1 HSCR PBS HMS 2013-2935



- (3) Clarifies that the court shall advise a covered offender of the registration requirements and start the registration process after sentencing and the entry of a judgment;
- (4) Provides for quarterly updates to registry information by mail for covered offenders with a permanent mailing address and in-person for those without a permanent mailing address;
- (5) Clarifies penalties for failure to comply with registration requirements, including by clarifying allowable defenses; and
- (6) Amends the classification of offenses for purposes of duration of registration requirements to account for offenses prosecuted in tribal or foreign jurisdictions and that are not otherwise classified in statute.

The Department of the Prosecuting Attorney of the City and County of Honolulu, Honolulu Police Department, Hawaii County Office of the Prosecuting Attorney, Hawai'i Police Department, Maui Police Department, and The Sex Abuse Treatment Center supported this measure. The Department of the Attorney General supported this measure with amendments.

Your Committee has amended this measure by:

- (1) Reinstating a provision that requires covered offenders from other jurisdictions, who were subject to registration or public notification requirements in the other jurisdiction, to register in Hawaii; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1016, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1016, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.



1194

Respectfully submitted on  
behalf of the members of the  
Committee on Public Safety,



---

HENRY J.C. AQUINO, Chair



