

JAN 22 2016

A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT EVIDENCE.

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

1 SECTION 1. Chapter 844D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§844D- Sexual assault evidence; reporting. (a) By
5 December 1, 2016, and annually thereafter, all law enforcement
6 agencies and departments charged with the maintenance, storage,
7 and preservation of sexual assault collection kits shall conduct
8 an inventory of all such kits being stored by the agency or
9 department.

10 (b) By December 1, 2016, and annually thereafter, each law
11 enforcement agency and department shall compile, in writing, a
12 report containing the number of untested sexual assault
13 collection kits in the possession of the agency or department
14 and the date the sexual assault collection kit was collected.
15 The report shall be transmitted to the attorney general's
16 office.



1 (c) By January 1, 2017, and annually thereafter, the
2 department of the attorney general shall prepare and transmit a
3 report to the president of the senate and the speaker of the
4 house of representatives containing the number of untested
5 sexual assault collection kits being stored by each county, by
6 each law enforcement agency or department, and the date the
7 untested kit was collected.

8 (d) As used in this section:

9 "Forensic medical examination" means an examination
10 provided to the victim of a sexually-oriented criminal offense
11 by a health care provider for the purpose of gathering and
12 preserving evidence of a sexual assault for use in a court of
13 law.

14 "Sexual assault collection kit" means a human biological
15 specimen or specimens collected by a health care provider during
16 a forensic medical examination from the victim of a sexually-
17 oriented criminal offense.

18 "Untested sexual assault collection kit" means a sexual
19 assault collection kit that has not been submitted to a
20 qualified laboratory for either a serology or DNA test."

21 SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 2366

Report Title:

Sexual Assault Collection Kit; Reporting; Attorney General;
Sexual Assault; Forensic Evidence

Description:

Requires law enforcement agencies and departments to compile information on untested sexual assault collection kits and transmit the information to the department of the attorney general. Requires the department of the attorney general to transmit that information to the president of the senate and the speaker of the house.

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