
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 department of the
16 attorney general.

17 (c) By January 1, 2017, and annually thereafter, the
18 department of the attorney general shall prepare and transmit a



1 report to the president of the senate and the speaker of the
2 house of representatives containing the number of untested
3 sexual assault collection kits being stored by each county, by
4 each law enforcement agency or department, and the date the
5 untested kit was collected.

6 (d) As used in this section:

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

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

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

19 SECTION 2. New statutory material is underscored.

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

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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. (SD1)

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