STAND. COM. REP. NO. 62

Honolulu, Hawaii April 8 , 2016 RE: S.B. No. 2103 S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2103, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEARCH WARRANTS,"

begs leave to report as follows:

The purpose of this measure is to provide that the courts may authorize a law enforcement officer to obtain technical assistance from a person or entity to examine designated electronic devices or storage media pursuant to a search warrant.

The Judiciary, Department of the Attorney General, City and County of Honolulu Prosecuting Attorney, Honolulu Police Department, and Maui Police Department testified in support of this measure. The American Civil Liberties Union of Hawaii, Verizon, State Privacy and Security Coalition, Inc., and TechNet provided comments.

Your Committee has amended this measure to make it effective upon its approval.

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 S.B. No. 2103, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2103, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

SB2103 HD1 HSCR JUD HMS 2016-3212

STAND. COM. REP. NO. 1624 -16 Page 2

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

KARL RHOADS, Chair



State of Hawaii House of Representatives The Twenty-eighth Legislature



Record of Votes of the Committee on Judiciary

| | e Referral: HD | Date: | Date: 04/07/16 | | |
|---|-------------------|-----------|----------------|----------------|--|
| □ The committee is reconsidering its previous decision on the measure. | | | | | |
| The recommendation is to: □ Pass, unamended (as is) Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit) | | | | | |
| JUD Members | Ayes | Ayes (WR) | Nays | Excused | |
| 1. RHOADS, Karl (C) | | | | | |
| 2. SAN BUENAVENTURA, Joy A. (VC) | | | | | |
| 3. BELATTI, Della Au | | | 12.0 | wood | |
| 4. BROWER, Tom | | | - | | |
| 5. CREAGAN, Richard P. | | | | | |
| 6. HASHEM, Mark J. | ·/ | | | | |
| 7. KAWAKAMI, Derek S.K. | | | | | |
| 8. LEE, Chris | Veral | | | | |
| 9. MORIKAWA, Dee | · | | | | |
| 10. NAKASHIMA, Mark M. | | | | | |
| 11. TAKAYAMA, Gregg | | | | | |
| 12. WOODSON, Justin H. | | | | | |
| 13. McDERMOTT, Bob | | | | | |
| 14. THIELEN, Cynthia | | | | | |
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| TOTAL (14) | ν | | | $ \downarrow$ | |
| The recommendation is: Adopted I Not Adopted If joint referral, | | | | | |
| Vice Chair's or designee's signature: | | | | | |
| Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO | | | | | |