

Honolulu, Hawaii

APR 27 2017

RE: S.B. No. 488
S.D. 1
H.D. 1
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 488, S.D. 1, H.D. 1, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

This purpose of this measure is to allow the court to authorize an individual or entity other than a sheriff deputy or police officer to provide technical assistance to the deputy sheriff or police officer in examining an electronic device or storage media that is the subject of a search warrant.

Your Committee on Conference finds that existing law requires that a search warrant be executed by a law enforcement officer. However, there are many cases involving electronic evidence where law enforcement officers are unable to execute a search warrant without specialized assistance from non-law enforcement personnel. This measure facilitates more efficient and effective investigations



and searches while allowing the judge or magistrate to set limitations on the manner in which the assistance is provided.


Your Committee on Conference has amended this measure by changing the effective date to upon its approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 488, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 488, S.D. 1, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



SCOTT Y. NISHIMOTO
Chair



GILBERT S.C. KEITH-AGARAN
Chair





BRIAN T. TANIGUCHI
Co-Chair



Hawaii State Legislature

CR 50

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 488, SD 1, HD 1					Date/Time: 4/26/17 2:30 pm				
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).									
<input type="checkbox"/> The Committee is reconsidering its previous decision.									
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KEITH-AGARAN, Gilbert S.C., Chr.	✓				NISHIMOTO, Scott Y., Chr.	✓			
TANIGUCHI, Brian T., Co-Chr.	✓				SAN BUENAVENTURA, Joy A.	✓			
RHOADS, Karl	✓				MCDERMOTT, Bob	✓			
TOTAL	3	0	0	0	TOTAL	3	0	0	0
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted					<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution:		Original	Yellow	Pink	Goldenrod				
		File with Conference Committee Report	House Clerk's Office	Senate Clerk's Office	Drafting Agency				