

Honolulu, Hawaii

MAR 02 2017

RE: S.B. No. 892

S.D. 1

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

Sir:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 892 entitled:

"A BILL FOR AN ACT RELATING TO COVERED OFFENDER
REGISTRATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Hawaii Criminal Justice Data Center to include in a fingerprint-based state criminal history record check an indication of the applicant's, employee's, or volunteer's requirement to register as a covered offender pursuant to sex offender registration laws;
- (2) Allow covered offender registration information to be disclosed to criminal justice agencies, rather than law enforcement agencies, for the administration of criminal justice and covered offender registration, rather than law enforcement, purposes; and
- (3) Require an indication regarding a covered offender's requirement to register as a covered offender pursuant to sex offender registration laws to be disclosed to agencies and entities conducting confidential fingerprint-based state and national criminal history



record checks, provided that this indication does not include the disclosure of confidential covered offender registration information.

Your Committee received testimony in support of this measure from the Department of the Attorney General and Police Department, City and County of Honolulu.

Your Committee finds that existing law authorizes certain government agencies to conduct fingerprint-based state and national criminal history records checks for the purposes of determining the suitability or fitness of applicants for employment, licensure, permits, or volunteer services. This measure allows the Hawaii Criminal Justice Data Center access to covered offender registration information to inform authorized government agencies whether the submitted fingerprints for a state criminal history check match the fingerprints of a registered covered offender.

Your Committee has amended this measure by:

- (1) Clarifying that an indication of an obligation to register as a covered offender pursuant to chapter 846E, Hawaii Revised Statutes, pertains to the applicant's, employee's, or volunteer's current obligation, if any, rather than requirement, to register;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 892, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 892, S.D. 1, and be placed on the calendar for Third Reading.



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


GILBERT S.C. KEITH-AGARAN Chair



