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A BILL FOR AN ACT

RELATING TO HAWAII CRIMINAL JUSTICE DATA CENTER FEES.

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

1 SECTION 1. Section 846-10.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Except for services provided to criminal justice  
4 agencies and state or county agencies for employment purposes,  
5 the Hawaii criminal justice data center and state and county  
6 criminal justice agencies shall assess [~~the following~~] fees for  
7 services provided or to be provided, which shall be deposited  
8 into the criminal history record improvement revolving fund[-

9 ~~(1) For each criminal history record check or criminal  
10 history record name inquiry conducted by the data  
11 center and other state and county agencies, \$20;~~

12 ~~(2) For each criminal history record name inquiry via an  
13 electronic database maintained by the data center that  
14 is accessible to users through an interactive  
15 computer based system, for which a certified printout  
16 is requested, \$10 per printout;~~

17 ~~(3) For processing of each application for the expungement  
18 of arrest records, \$25;~~

H.B. NO. 947

- 1       ~~(4) For certification of documents, \$10 per document,~~  
2       ~~(5) For each duplicate expungement certificate requested,~~  
3               ~~\$15; and~~  
4       ~~(6) For each complete set of fingerprints taken, \$15]."~~

5       SECTION 2. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:                     *Jan*                    

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BY REQUEST  
JAN 22 2019

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H.B. NO. 947

**Report Title:**

Hawaii Criminal Justice Data Center Fees

**Description:**

Provides authority for the Hawaii Criminal Justice Data Center to set and collect fees for services provided.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

## JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO HAWAII  
CRIMINAL JUSTICE DATA CENTER FEES.

PURPOSE: To provide authority for the Hawaii criminal  
justice data center to determine reasonable  
fees for services provided.

MEANS: Amend section 846-10.5(a), Hawaii Revised  
Statutes.

JUSTIFICATION: All fees for services provided by the data  
center are deposited into the Criminal  
History Record Improvement Revolving Fund,  
which is used to maintain and improve the  
statewide criminal history record  
information systems of the State. The  
demand for the data center services  
continues to grow each year, as more  
agencies and organizations are conducting  
criminal history record checks on  
applicants, employees, volunteers, and  
licensees that are in a position of trust or  
that provide care for Hawaii's vulnerable  
population, and more individuals are  
submitting applications for the expungement  
of arrest records.

Impact on the public: The data center will  
be able to set fees based on the demands of  
its criminal history record information  
systems. Fees may be reduced or increased  
as necessary. The public will be able to  
provide comments during the administrative  
rules process.

Impact on the department and other agencies:  
Approval of this bill will have a positive  
effect on the data center's ability to  
improve and sustain its identification  
services to both criminal justice and non-

# H.B. NO. 947

criminal justice agencies, thereby enhancing public safety.

The statute provides an exemption from the fees for services provided to criminal justice agencies and state or county agencies for employment purposes; as such, no impact is anticipated for other governmental agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: ATG-231/BC.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.