

JAN 24 2019

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;~~

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- 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 Statutory material to be repealed is bracketed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: *Am. H. 41.*

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BY REQUEST

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S.B. NO. 1174

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-

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.