STAND. COM. REP. NO. 209

Honolulu, Hawaii

## FEB 0 7 2022

RE: S.B. No. 1048 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-First State Legislature Regular Session of 2022 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1048 entitled:

"A BILL FOR AN ACT RELATING TO HAWAII CRIMINAL JUSTICE DATA CENTER FEES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Hawaii Criminal Justice Data Center to establish reasonable and necessary fees for all services the Hawaii Criminal Justice Data Center provides through the administrative rulemaking process; and
- (2) Remove the fee waiver that exempts county agencies from paying fees related to employment background checks.

Your Committee received testimony in support of this measure from the Department of the Attorney General.

Your Committee finds that currently, section 846-10.5(a), Hawaii Revised Statutes, provides set fees for certain services provided by the Criminal Justice Data Center. In 1998, the Legislature amended section 846-10.5(d), Hawaii Revised Statutes, to authorize the Hawaii Criminal Justice Data Center to adopt rules to establish reasonable fees for services provided by the Hawaii Criminal Justice Data Center. This measure would clarify



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that the Hawaii Criminal Justice Data Center has the authority to adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to establish reasonable fees for all services it provides. In addition, your Committee finds that the removal of the county fee exemption for employment background checks will increase the annual revenue collected by the Hawaii Criminal Justice Data Center by approximately \$30,000.

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

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. 1048, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1048, S.D. 1, and be referred to your Committee on Ways and Means.

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

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KARL RHOADS, Chair



## The Senate Thirty-First Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary JDC

Bill / Resolution No.:*	Committee Referral:			Date:	
SB1048	JDC, WAM			01-28-22	
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе	Aye (W	R) Nay	Excused
RHOADS, Karl (C)		~			
KEOHOKALOLE, Jarrett (VC)		<i>\</i>			
ACASIO, Laura		$\overline{\mathbf{V}}$			
GABBARD, Mike		$\checkmark$			
KIM, Donna Mercado		$\mathbf{V}$	1		
LEE, Chris					
FEVELLA, Kurt			$\checkmark$		
TOTAL		5	1	-	l
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature: Kal Nhook					
Distribution: Original File with Committee Re	Yellow port Clerk's Office		Pink Drafting Agei		

\*Only <u>one</u> measure per Record of Votes