



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
THIRTY- FIRST LEGISLATURE, 2021**

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**ON THE FOLLOWING MEASURE:**

H.B. NO. 894, RELATING TO HAWAII CRIMINAL JUSTICE DATA CENTER FEES.

**BEFORE THE:**

HOUSE COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

**DATE:** Wednesday, February 17, 2021 **TIME:** 2:00 p.m.

**LOCATION:** State Capitol, Via Videoconference, Room 325

**TESTIFIER(S):** Clare E. Connors, Attorney General, or  
Christopher D.W. Young, Administrator,  
Hawaii Criminal Justice Data Center

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Chair Nakashima and Members of the Committee:

The Department of the Attorney General supports this bill.

The purpose of this bill is to allow the Hawaii Criminal Justice Data Center (HCJDC) to establish reasonable and necessary fees for all services HCJDC provides through the administrative rulemaking process and remove the fee waiver that exempts county agencies from paying fees related to employment background checks.

Currently, section 846-10.5(a), Hawaii Revised Statutes (HRS), provides set fees for certain services listed in section 846-10.5(a)(1)-(6). In 1998 the Legislature amended section 846-10.5(d) to authorize HCJDC to adopt rules to establish reasonable fees for services provided by HCJDC. This bill would further amend section 846-10.5(d), HRS, to clarify that HCJDC has the authority to adopt rules pursuant to chapter 91, HRS, to establish reasonable fees for all services it provides.

Eliminating the finite list of services for which HCJDC is allowed to charge fees from section 846-10.5(a), HRS, will enable HCJDC to include fees for all of its services within a fee schedule established by administrative rules. Removal of the county fee exemption for employment background checks will allow HCJDC to collect approximately \$30,000 additional revenue annually.

In order to sustain its operations, it is essential for HCJDC to have the ability to adjust or establish fees for all of its services by the administrative rulemaking process.

The Department of the Attorney General respectfully requests the passage of this bill.