

Honolulu, Hawaii

APR 27 2023

RE: S.B. No. 410  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 410, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENT,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Prohibit the Director of Transportation and Traffic and Emergency Period Violations Bureaus of the District Courts from furnishing information related to dismissed traffic citations; and
- (2) Require the court to automatically seal or remove from the Judiciary's publicly accessible databases any information relevant to the arrest or case of a person for whom an expungement order has been entered and transmitted to the court.



Your Committee on Conference finds that court records that have been expunged from a person's record may still be accessed by others. Such information should not appear on an individual's record as they can be regarded negatively and have a significant and long-lasting impact on a person's future. However, there is no process currently available to request traffic citations that have been expunged to be excluded from a person's record. This measure will streamline the process for people who need their records to be expunged.

Your Committee on Conference has amended this measure by:

- (1) Removing language that would have prohibited the Director of Transportation and Traffic and Emergency Period Violations Bureaus of the District Courts from furnishing information related to dismissed traffic citations;
- (2) Amending section 1 to reflect its amended purpose; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 410, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 410, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



MARK M. NAKASHIMA  
Co-Chair



KARL RHOADS  
Chair



DAVID A. TARNAS  
Co-Chair



Hawai'i State Legislature

CR 55

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 410, SD 1, HD 2</b>	Date/Time: 4/27/23; 2:52pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

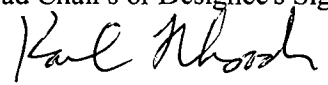
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

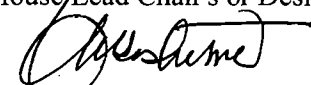
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				NAKASHIMA, Mark M., Co-Chr.	✓			
SAN BUENAVENTURA, Joy A.	✓				TARNAS, David A., Co-Chr.	✓			
AWA, Brenton	✓				HUSSEY-BURDICK, Natalia	✓			
					TAKAYAMA, Gregg	✓			
					PIERICK, Elijah	✓			
<b>TOTAL</b>	3	0	0	0	<b>TOTAL</b>	5	0	0	0

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is:  
 Adopted       Not Adopted

House Recommendation is:  
 Adopted       Not Adopted

Senate Lead Chair's or Designee's Signature:  


House Lead Chair's or Designee's Signature:  


**Distribution:**      **Original**      **Yellow**      **Pink**      **Goldenrod**  
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