



GOV. MSG. NO. 1347

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

July 9, 2024

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 9, 2024, the following bill was signed into law:

SB3033 HD1 CD1

RELATING TO PHYSICAL EVIDENCE.
ACT 242

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUL 9 2024

THE SENATE
THIRTY-SECOND LEGISLATURE, 2024
STATE OF HAWAII

S.B. NO. 3033
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO PHYSICAL EVIDENCE.

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

1 SECTION 1. The purpose of this Act is to amend the statute
2 for the criminal offense of tampering with physical evidence, to
3 adopt the wording of Model Penal Code section 241.7, "Tampering
4 with or Fabricating Physical Evidence".

5 SECTION 2. Section 710-1076, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "§710-1076 Tampering with or fabricating physical
8 evidence. (1) A person commits the offense of tampering with
9 or fabricating physical evidence if, believing that an official
10 proceeding or investigation is pending or about to be
11 instituted, the person:

12 (a) Destroys, mutilates, conceals, removes, or alters
13 physical evidence with intent to impair its verity or
14 availability in the pending or prospective official
15 proceeding[+] or investigation; or

16 (b) Makes, presents, [~~o~~] offers, or uses any false
17 physical evidence, knowing it to be false, with intent
18 that it be introduced in the pending or prospective



1 official proceeding[~~-~~] or investigation, or with
2 intent to mislead a public servant who is or may be
3 engaged in the pending or prospective official
4 proceeding or investigation.

5 (2) [~~Physical~~] For the purposes of this section,
6 "physical evidence[~~-~~]" [as used in this section] includes any
7 article, object, document, record, or other thing of physical
8 substance.

9 (3) Tampering with or fabricating physical evidence is a
10 misdemeanor."

11 SECTION 3. This Act does not affect rights and duties that
12 matured, penalties that were incurred, and proceedings that were
13 begun before its effective date.

14 SECTION 4. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.



S.B. NO. 3033
H.D. 1
C.D. 1

APPROVED this **9th** day of **July**, 2024

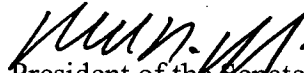



GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2024
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2024.


President of the Senate


Clerk of the Senate

SB No. 3033, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2024
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2024.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives