

JAN 19 2024

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# A BILL FOR AN ACT

RELATING TO EXPUNGEMENT.

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

1 PART I

2 SECTION 1. The legislature finds that a person's criminal  
3 record may affect that person long after the person has served  
4 their sentence. Persons who engaged in driving under the  
5 influence of an intoxicant as minors, and persons who committed  
6 first-time property offenses, may have criminal records that  
7 make it difficult to obtain housing, a job, or an education.  
8 The legislature believes that, in certain circumstances,  
9 convicted persons who have served their sentences and fulfilled  
10 all legal requirements should be given the opportunity to start  
11 over again.

12 Accordingly, the purpose of this Act is to allow persons  
13 convicted of certain criminal violations to apply to the court  
14 for an expungement order under certain circumstances.

15 PART II

16 SECTION 2. Section 291E-64, Hawaii Revised Statutes, is  
17 amended by amending subsection (e) to read as follows:



1           "(e) Notwithstanding section 831-3.2 or any other law to  
2 the contrary, a person convicted of a first-time violation under  
3 subsection (b) (1) or section 291-4.3, as it existed prior to  
4 Act 189, Session Laws of Hawaii 2000, who had no prior alcohol  
5 enforcement contacts, may apply to the court for an expungement  
6 order upon attaining the age of twenty-one, or thereafter, if  
7 the person has fulfilled the terms of the sentence imposed by  
8 the court and has had no subsequent alcohol or drug related  
9 enforcement contacts."

PART III

11           SECTION 3. Act 230, Session Laws of Hawaii 2006, is  
12 amended by amending section 51 to read as follows:

13           "SECTION 51. This Act does not affect rights and duties  
14 that matured, penalties that were incurred, and proceedings that  
15 were begun before its effective date[-]; provided that  
16 section 706- (3), Hawaii Revised Statutes, shall apply to  
17 persons sentenced prior to the effective date of this Act."

PART IV

19           SECTION 4. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



# S.B. NO. 2522

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

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INTRODUCED BY: *Karl Rhoad*



# S.B. NO. 2522

**Report Title:**

Driving Under the Influence; Property Offenses; Minors;  
Expungement

**Description:**

Allows persons convicted of certain criminal violations to apply to the court for an expungement order under certain circumstances.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

