

STAND. COM. REP. NO. **3418**

Honolulu, Hawaii

APR 02 2024

RE: H.B. No. 2513
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2513, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENT,"

begs leave to report as follows:

The purpose and intent of this measure is to expand expungement eligibility to persons whose convictions for consuming a measurable amount of alcohol while underage or first-time property offenses predated current expungement provisions.

Your Committee received testimony in support of this measure from the Office of the Public Defender and Opportunity Youth Action Hawai'i.

Your Committee received testimony in opposition to this measure from the Crime Victim Compensation Commission, Department of the Prosecuting Attorney of the City and County of Honolulu, Mothers Against Drunk Driving Hawaii, and Retail Merchants of Hawaii.

Your Committee finds that currently, persons convicted under section 291E-64, Hawaii Revised Statutes, for driving under the influence of an intoxicant while under the age of twenty-one or who qualify for sentencing under section 706-622.9, Hawaii Revised Statutes, for a first-time property offense are able to expunge



their conviction and arrest record. However, persons who were convicted before the laws explicitly permitting expungement for these offenses were enacted are unable to receive the same benefits of expunging their conviction and arrest record afforded by existing law. This measure will allow persons convicted under prior statutes to receive eligibility for expungement by applying existing expungement opportunities retroactively to persons previously convicted.

Your Committee has amended this measure by:

- (1) Inserting legislative findings clarifying that persons under the age of twenty-one who engaged in driving under the influence of an intoxicant lack access to expungement eligibility if their offense predated current expungement provisions; and
- (2) Making it effective upon its approval.

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 H.B. No. 2513, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2513, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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




KARL RHOADS, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* HB 2513 HD1	Committee Referral: JDC	Date: 03 15 24		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton				✓
TOTAL	4	—	—	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes