

STAND. COM. REP. NO. **668** -24

Honolulu, Hawaii

FEB 29, 2024

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

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2513 entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENT,"

begs leave to report as follows:

The purpose 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; Cannabis Society of Hawai'i; ACLU of Hawai'i; and two individuals. Your Committee received testimony in opposition to this measure from the Crime Victim Compensation Commission and Mothers Against Drunk Driving. Your Committee received comments on this measure from the Department of the Attorney General and Department of Transportation.

Your Committee finds that persons who were convicted under prior statutes for consuming a measurable amount of alcohol while underage or first-time property offenses are not eligible for expungement under existing law. This measure would expand expungement eligibility to these individuals to promote the

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purposes of expungement, which includes helping individuals achieve better outcomes in life.

Your Committee has amended this measure by:

- (1) Adopting language proposed by the Department of Transportation which clarifies that the expungement for persons operating a vehicle after consuming a measurable amount of alcohol while underage does not apply to persons in possession of a commercial learner's permit or commercial driver's license or convicted in a commercial motor vehicle or while transporting hazardous materials;
- (2) Adopting language proposed by the Department of the Attorney General which clarifies the expungement process for persons sentenced before June 22, 2006, for first-time property offenses;
- (3) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2513, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2513, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



