STAND. COM. REP. NO.

800

Honolulu, Hawaii

FEB 27 ' 2025

RE: H.B. No. 998

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 998 entitled:

"A BILL FOR AN ACT RELATING TO CONTENTS OF CITATIONS,"

begs leave to report as follows:

The purpose of this measure is to clarify that the omission of certain information or any error in a citation does not constitute ground for dismissal of a charge or for reversal of a conviction, if the omission or error did not prejudice the defendant.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of the Prosecuting Attorney of the City and County of Honolulu; State of Hawaii Organization of Police Officers; and one individual.

Your Committee finds that existing law requires certain information to be included in citations issued in lieu of arrest, including a Social Security number and a residence address. However, in practice, law enforcement officers frequently encounter individuals who are unable or unwilling to provide this information, which has led to dismissals of citations based on technical omissions. This measure clarifies that the absence of certain unavailable information or minor citation errors should not automatically result in dismissal or reversal of a conviction if the defendant is not prejudiced.

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. 998 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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

Dang Linas

State of Hawaii House of Representatives The Thirty-third Legislature

HSCR 800

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 998	Committee Referral: UHA	Date:	/19/2025	O
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
TO EARLY AND SOUTH AND SOUTH AND SOUTH			All states	
2. POEPOE, Mahina (VC)		220,000	11 (1) 1 (1)	
3. BELATTI, Della Au				
			especial Title	
4. COCHRAN, Elle				
	Litter Committee			
5. HASHEM, Mark J.				
			esta	
6. KAHALOA, Kirstin	V			Stone Stone
7. PERRUSO, Amy A.		The Sarety Co.	E STATE	
7. TERROSO, Alliy A.			King and the second sec	
8. TAKAYAMA, Gregg	Track Company	E transcription of the		
			15 (1971) 2 (1971)	March Park
9. TODD, Chris			A COLUMN NAME OF THE OWNER OWNE	
10. GARCIA, Diamond				
11. SHIMIZU, Garner M.				
		:		
TOTAL (11)	10	0	0	1
The recommendation is: Adopted Not Adopted did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				