

Honolulu, Hawaii

FEB 13 2025RE: S.B. No. 260
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 260 entitled:

"A BILL FOR AN ACT RELATING TO THE JUDICIARY,"

begs leave to report as follows:

The purpose and intent of this measure is to appropriate moneys for the Judiciary for the fiscal biennium that begins on July 1, 2025, and ends on June 30, 2027.

Your Committee received testimony in support of this measure from the Judiciary, Volunteer Legal Services Hawaii, Legal Aid Society of Hawai'i, The Legal Clinic, Ku'ikahi Mediation Center, Domestic Violence Action Center, Hawaii State Bar Association, Hawai'i Access to Justice Commission, a member of the Kauai County Council, and three individuals.

Your Committee finds that the appropriations made by this measure are intended to assist the Judiciary in its efforts to fulfill its constitutional and statutory duties during the 2025-2027 fiscal biennium.



During the same public hearing in which your Committee heard this measure, your Committee also received testimony for S.B. No. 861, a measure that would authorize the Hawaii Criminal Justice Data Center to transmit expungement orders to the Judiciary to effectuate the purposes of Act 159, Session Laws of Hawaii 2023 (Act 159). Act 159 requires courts to automatically seal or remove from the Judiciary's publicly accessible databases any information relevant to the arrest or case of a person for whom an expungement order has been entered. However, during this hearing for S.B. No. 861, concerns were raised regarding challenges that the Judiciary faces in sealing or removing records for certain types of cases.

To address these concerns, your Committee has amended this measure by requiring that an unspecified sum be expended for the Judiciary to determine how to expunge one defendant in a case that involves more than one defendant, or one offense in a case that involves multiple offenses, and to report its findings and recommendations to the Legislature prior to the convening of the Regular Session of 2026. Your Committee respectfully requests that the Judiciary provide guidance as to what would be a sufficient amount to complete these activities and that a future Committee increase the general fund appropriation to Administration (JUD601) by such a sufficient sum.

Your Committee further amended this measure by:

- (1) Increasing the general appropriation for administration (JUD601) by \$1,000,000 for each fiscal year for civil legal services; and
- (2) Authorizing the issuance of an additional \$2,000,000 in general obligation bonds and authorizing the bond proceeds to be used for lump sum capital improvement projects for Judiciary facilities, statewide.



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 S.B. No. 260, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 260, S.D. 1, and be referred to your Committee on Ways and Means.

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



KARL RHOADS, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <i>SB 260</i>	Committee Referral: <i>JDC, WAM</i>	Date: <i>2/5/25</i>
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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
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Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	<i>5</i>	<i>—</i>	<i>—</i>	<i>—</i>

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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***Only one measure per Record of Votes**