stand. com. rep. no. **650** 

Honolulu, Hawaii

Fe 716, 2007

RE: H.B. No. 1240

H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fourth State Legislature Regular Session of 2007 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1240 entitled:

"A BILL FOR AN ACT RELATING TO DISCLOSURE OF VITAL STATISTICS RECORDS TO LAW ENFORCEMENT OFFICERS,"

begs leave to report as follows:

The purpose of this bill to permit law enforcement officers to obtain vital statistics records from the Department of Health if the records are necessary for an official criminal investigation and if the request is signed under penalty of criminal prosecution for false swearing in official matters.

The Department of the Attorney General, the Honolulu Police Department, and the County of Hawaii Police Department submitted testimony in support of this measure.

Under current law, law enforcement officers cannot obtain vital statistics records from the Department of Health.

Your Committee finds that in certain limited circumstances it is important to provide law enforcement officers with vital statistics records to facilitate a timely investigation of a crime. For example, during a homicide investigation, obtaining the death certificate of the victim can be important to decide which statutes are applicable to a possible charge; and, the same is true when the age of the victim or the perpetrator in sexual assault cases has to be determined.

HB1240 HD1 HSCR LRB 07-2330.doc

Your Committee supports providing vital statistics records to law enforcement personnel because of the limitations to certain, restricted circumstances in which the records are available and the inclusion of the requirement of a signed request for the records, attaching criminal penalties for their misuse. This statutory amendment will facilitate the goal of investigating crimes in a timely manner.

Your Committee has amended this measure by changing the effective date to January 1, 2050 in order to promote continued discussion of the matter.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1240, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1240, H.D. 1, and be referred to the Committee on Judiciary.

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

JOSHUA B. GREEN, M.D., Chair

HSCR 450

## State of Hawaii House of Representatives The Twenty-fourth Legislature

## **Record of Votes of the Committee on Health**

Bill/Resolution No.: HB 1240	Date:	Date: 2 - 13 -07			
Committee Referral: HLT, J4D		The committee is reconsidering its previous decision on the measure.			
The recommendation is to:   Pass, unamended	X	Pass, with amendments			
☐ Hold		Pass, with amendments, for recommittal for further consideration			
HLT Members	Ayes	Ayes (WR)	Nays	Excused	
1. GREEN, Josh, M.D. (C)	V		14:		
2. MIZUNO, John (VC)					
3. BELATTI, Della Au	V				
4. BERTRAM, Joe, III	V				
5. CABANILLA, Rida T.R.				a a 我就 A	
6. RHOADS, Karl					
7. SHIMABUKURO, Maile S. L.			that ye had		
8. TAKAI, K. Mark				V	
9. TOKIOKA, James Kunane	V			14.12	
10. AWANA, Karen Leinani	V				
11. WARD, Gene, Ph.D.		i.ta			
TOTAL	9	v	0	2	
The recommendation is:  Adopted  Not Adopted  If joint referral, did not support recommendation.  committee acronym(s)  Vice Chair's or designee's signature:					
John II. Illegizo					
Distribution: Original (White) – Committee Duplicate (Yellow) – Clerk's Office					