

STAND. COM. REP. NO.

**2288**

Honolulu, Hawaii

FEB 12 2010

RE: S.B. No. 2153  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2153 entitled:

"A BILL FOR AN ACT RELATING TO THE DNA ANALYSIS FEE,"

begs leave to report as follows:

The purpose of this measure is to apply the DNA analysis fee requirement to defendants with deferred pleas and to felony offenders transferring into Hawaii under an interstate compact.

Testimony in support of the measure was submitted by the Judiciary, the Department of the Prosecuting Attorney of Honolulu, and the Honolulu Police Department. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that, although existing law requires collection of buccal swab samples and print impressions from all persons, except for juveniles, who are convicted of, or plead guilty or no contest to, any felony offense even if the plea is deferred, not all offenders are required to pay the associated cost to conduct the DNA assessments from their buccal swab samples. Your Committee finds that requiring these omitted offenders to pay the DNA monetary assessment fee as well will assist in defraying the costs of the DNA analysis.

Your Committee has amended this measure by making technical, nonsubstantive amendments for stylistic and consistency purposes.



As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2153, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2153, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Government Operations,



BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Judiciary and Government Operations**  
**JGO**

Bill / Resolution No.:* <b>SB 2153</b>	Committee Referral: <b>JGO, WAM</b>	Date: <b>2/4/10</b>		
<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
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes