STAND. COM. REP. NO. 1576

Honolulu, Hawaii Acril 8, 2011

RE: S.B. No. 52 S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Finance, to which was referred S.B. No. 52, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REGISTRATION OF SEX OFFENDERS,"

begs leave to report as follows:

The purpose of this bill is to add the following offenses to the definition of "sexual offense" under Chapter 846, Hawaii Revised Statutes (HRS), the Hawaii Criminal Justice Data Center; Civil Identification Law, thereby requiring persons convicted of those offenses to register as sex offenders:

- (1) Promoting prostitution in the first degree, with respect to a person advancing prostitution by compelling a person by force, threat, or intimidation to engage in prostitution, or profit from such coercive conduct by another; and
- (2) Violation of privacy in the first degree.

The Department of the Attorney General, Department of the Prosecuting Attorney of the City and County of Honolulu, Imua Alliance, and several concerned individuals supported this bill.



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Your Committee notes that this bill applies retroactively to any person who is or was:

- Convicted at any time of a violation of privacy in the first degree; or
- (2) Charged at any time of a violation of privacy in the first degree, and:
 - (A) Is currently or was previously found unfit to proceed against the charges and is currently or was previously released into the community; or
 - (B) Is currently or was previously acquitted due to a physical or mental disease, disorder, or defect pursuant to Chapter 704, HRS, the Penal Responsibility and Fitness to Proceed Law, and is currently or was previously released into the community.

It is your Committee's intent that the provisions in this bill apply retroactively to civil penalties only, and not to criminal penalties for past criminal acts.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 52, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Finance,

MARCUS R. OSHIRO, Chair



State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Finance

Bill/Resolution No.: SB 52, SD1, HD1	Committee Referral: JUD, FIN			Date: 3/30/11		
□ 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)						
FIN Members	1	Ayes	Ayes (WR	\$	Nays	Excused
1. OSHIRO, Marcus R. (C)						
2. LEE, Marilyn B. (VC)		\checkmark				
3. CHONG, Pono		\checkmark				
4. CHOY, Isaac W.		ν				
5. COFFMAN, Denny		$ \vee $				
6. CULLEN, Ty		\vee				
7. HAR, Sharon E.		\vee				
8. HASHEM, Mark J.						
9. ICHIYAMA, Linda						
10. JORDAN, Jo		\checkmark				
11. LEE, Chris		\checkmark				
12. MORIKAWA, Dee		\checkmark				
13. TOKIOKA, James Kunane		V				
14. YAMASHITA, Kyle T.		\checkmark				
15. MARUMOTO, Barbara C.						
16. RIVIERE, Gil		u				
17. WARD, Gene		\checkmark				
TOTAL (17)	/	7	0		\mathcal{O}	0
The recommendation is: Adopted I Not Adopted did not support recommendation.						
Vice Chair's or designee's signature:Marif_ 3. Lee						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						