STAND. COM. REP. NO. 634 -12

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 1777 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1777 entitled:

"A BILL FOR AN ACT RELATING TO PRODUCTION OF RECORDS,"

begs leave to report as follows:

The purpose of this measure is to create a criminal long-arm statute to authorize district and circuit court judges in the State to order the production of records held by entities located outside of the State.

The Department of the Prosecuting Attorney of the City and County of Honolulu testified in support of this measure. The Judiciary provided comments on this measure.

Your Committee has amended this measure by:

- (1) Amending the definition of "summons" under section 836-1, Hawaii Revised Statutes, to clarify that the term includes both subpeonas ad testificandum and subpoenas duces tecum;
- (2) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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 H.B. No. 1777, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1777, H.D. 1, and be referred to the Committee on Finance.

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

GILBERT KEITH-AGARAN, Chair

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Judiciary

h = -	e Referral: JUD, FIN	Date	2/7/17	2
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. KEITH-AGARAN, Gilbert S.C. (C)				
2. RHOADS, Karl (VC)	~			
3. BROWER, Tom				
4. CABANILLA, Rida T.R.				<u> </u>
5. CARROLL, Mele	✓			
6. COFFMAN, Denny				
7. HERKES, Robert N.	✓	-		_
8. ITO, Ken	<u></u>			
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				V
11. SOUKI, Joseph M.				
12. TSUJI, Clift	/			
13. FONTAINE, George R.	~			
14. MARUMOTO, Barbara C.	1			
15. THIELEN, Cynthia	/			
TOTAL (15)	12	0	0	3
The recommendation is: Adopted If joint referral, 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				