Honolulu, Hawaii

Feb 17 , 2012

RE: H.B. No. 2454 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. 2454 entitled:

"A BILL FOR AN ACT RELATING TO THE RAP BACK PROGRAM OF THE HAWAII CRIMINAL JUSTICE DATA CENTER,"

begs leave to report as follows:

The purpose of this measure is to allow entities that are statutorily authorized to obtain fingerprint-based criminal history record checks for employment and licensing applicants to participate in statewide and federal rap back programs, which will allow these entities to be notified if participating employees or licensees are arrested subsequent to their initial record checks.

The Department of the Attorney General, Department of Human Services, Department of Health, and Hawaii Health Systems Corporation provided testimony in support of this measure. One individual testified in opposition of this measure.

Your Committee has amended this measure by:

- (1) Requiring notification to employees subject to criminal history checks that their fingerprints will be retained by the Federal Bureau of Investigation in addition to the Hawaii Criminal Justice Data Center;
- (2) Changing the effective date to January 7, 2059, to encourage further discussion; and

HB2454 HD1 HSCR JUD HMS 2012-2062

(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. 2454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2454, 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

HSCR539-N

Record of Votes of the Committee on Judiciary

HB 2454	Committee Referral: JUD, FIN	Date:	2/7/	12
☐ 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.			·	
5. CARROLL, Mele				
6. COFFMAN, Denny				~
7. HERKES, Robert N.				
8. ITO, Ken				
9. LUKE, Sylvia				
10. McKELVEY, Angus L.K.				
11. SOUKI, Joseph M.				
12. TSUJI, Clift			, 	
13. FONTAINE, George R.				
14. MARUMOTO, Barbara C.				
15. THIELEN, Cynthia				
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TOTAL (15)	13	0	0	2
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
Commune actorytics)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				