



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

GOV. MSG. NO. 1329

July 7, 2014

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

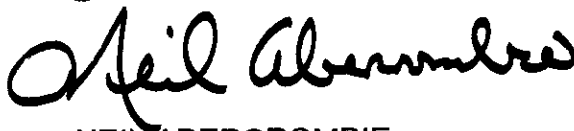
The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 7, 2014, the following bill was signed into law:

SB1015 SD1 HD1 CD1

RELATING TO PRODUCTION OF RECORDS
ACT 219 (14)

Sincerely,

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO PRODUCTION OF RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 806D-1, Hawaii Revised Statutes, is
2 amended by amending the definition of "recipient" to read as
3 follows:
4 "Recipient" means a person, as defined in section 701-118,
5 or a business, as defined in section 487J-1, that has conducted
6 business or engaged in transactions or activities occurring at
7 least in part in [~~this State~~] the state from which process was
8 issued upon whom [~~criminal~~] process [~~issued under this chapter~~]
9 is properly served."

10 SECTION 2. Section 806D-4, Hawaii Revised Statutes, is
11 amended to read as follows:

12 "~~[§]806D-4[§]~~ **Service of process issued by or in another**
13 **state.** (a) When a Hawaii recipient is properly served with
14 process issued by or in another state~~[,]~~ that commands the
15 production of records in the actual or constructive possession
16 of that person or business, and such process on its face
17 purports to be a valid [~~criminal process,~~] process based on a
18 pending criminal investigation or prosecution in that other



1 state, the Hawaii recipient shall comply with that process as if
2 that process had been issued by a Hawaii court[-]; provided that
3 the issuing state has a statute authorizing the production of
4 records held by out-of-state persons or businesses.

5 (b) The service of process issued by or in another state
6 shall include the following information:

- 7 (1) The name, office, business address, telephone number,
8 and electronic mail address of the person applying for
9 the issuance of the service of process;
- 10 (2) The statute authorizing the production of records held
11 by out-of-state persons or businesses; and
- 12 (3) The relevant criminal statutes upon which the pending
13 investigation or prosecution is based.

14 (c) As used in this section, "Hawaii recipient" means a
15 recipient who is physically present in the State of Hawaii."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun, before the effective date of this Act.

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 5. This Act shall take effect upon its approval.

S.B. NO. 1015
S.D. 1
H.D. 1
C.D. 1

APPROVED this 7 day of JUL, 2014

A handwritten signature in black ink, reading "Neil Abernethy". The signature is written in a cursive, flowing style with a large initial "N".

GOVERNOR OF THE STATE OF HAWAII