A BILL FOR AN ACT

RELATING TO CHILD ABUSE.

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

1	SECTION 1. The legislature finds that due to a lack of
2	dedicated resources, only about two per cent of known child
3	exploitation offenders are being investigated. Alicia's Law is
4	an initiative that builds state capacity to combat crimes
5	against children by seeking funding for internet crimes against
6	children task forces. Alicia's Law was named for Alicia
7	Kozakiewicz, who was abducted by an internet predator and
8	sexually abused.
9	The purpose of this Act is to help combat internet crime's
10	against children by establishing an internet crimes against
11	children fee and a special fund for fighting child pornographers
12	and helping child victims.
13	SECTION 2. The Hawaii Revised Statutes is amended by
14	adding a new chapter to be appropriately designated and to read
15	as follows:
16	"CHAPTER

INTERNET CRIMES AGAINST CHILDREN

17

1 -1 Short title. This chapter shall be known as and 2 may be cited as "Alicia's Law". 3 -2 Definitions. As used in this chapter, unless the 4 context otherwise requires: "Child pornography" has the same meaning as in section 5 6 707-750. 7 "Internet crimes against children" means promoting or 8 soliciting child abuse in the first degree under section 707-9 750, promoting or soliciting child abuse in the second degree 10 under section 707-751, promoting or soliciting child abuse in 11 the third degree under section 707-752, electronic enticement of a child in the first degree under section 707-756, electronic 12 13 enticement of a child in the second degree under section 707-14 757, performing or soliciting indecent electronic display to a 15 child under section 707-759, or promoting pornography for minors 16 under section 712-1215. 17 -3 Internet crimes against children fee. The court 18 shall impose and collect a fee of \$ upon every 19 defendant for each felony or misdemeanor conviction. All fees 20 collected pursuant to this section shall be deposited into the

internet crimes against children special fund.

21

- 1 -4 Internet crimes against children special fund; 2 established. (a) There is established in the state treasury 3 the internet crimes against children special fund, into which 4 shall be deposited: 5 All fees collected pursuant to section (1) -3; 6 (2) Moneys appropriated by the legislature to the fund; 7 (3) Other grants and gifts made to the fund; and 8 (4)The income and capital gains earned by the fund. 9 Moneys in the internet crimes against children special 10 fund shall be expended by the department of the attorney general 11 for the following purposes: 12 To provide training and equipment for local law (1) 13 enforcement agencies' use in investigating and 14 prosecuting internet crimes against children, 15 including funding to increase the forensic capacity of 16 digital evidence; and 17 (2) To enable law enforcement to investigate and prosecute 18 internet crimes against children. 19 The department shall disburse moneys to groups working 20 directly to combat internet crimes against children. 21 (c) All unexpended and unencumbered moneys remaining in 22 the internet crimes against children special fund at the close
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- 1 of each fiscal year that are deemed, by the director of finance,
- 2 to be in excess of the moneys necessary to carry out the purpose
- 3 of this section over the following fiscal year shall lapse to
- 4 the credit of the state general fund."
- 5 SECTION 3. There is appropriated out of the general
- 6 revenues of the State of Hawaii the sum of \$ or so much
- 7 thereof as may be necessary for fiscal year 2014-2015, to be
- 8 deposited into the internet crimes against children special fund
- 9 under section -4, Hawaii Revised Statutes.
- 10 SECTION 4. There is appropriated out of the internet
- 11 crimes against children special fund the sum of \$ or so
- 12 much thereof as may be necessary for fiscal year 2014-2015 for
- 13 purposes of providing training and equipment to law enforcement
- 14 and providing internet crime investigators funds to investigate
- 15 and prosecute internet crimes against children.
- 16 The sum appropriated shall be expended by the department of
- 17 the attorney general for the purposes of this Act.
- 18 SECTION 5. This Act does not affect rights and duties that
- 19 matured, penalties that were incurred, and proceedings that were
- 20 begun, before the effective date of this Act.
- 21 SECTION 6. This Act shall take effect on July 1, 2050.

Report Title:

Internet Crimes Against Children Fund; Department of the Attorney General; Alicia's Law

Description:

Establishes an internet crimes against children fee upon each felony or misdemeanor conviction. Requires deposit of the fees into an internet crimes against children special fund to provide training and resources for local law enforcement agencies' and investigators' use in investigating and prosecuting internet crimes against children. Appropriates funds. Effective 7/1/2050. (SD2)

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