
A BILL FOR AN ACT

RELATING TO COVERED OFFENDER REGISTRATION.

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

1 SECTION 1. Section 846-2.7, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) The agencies and other entities named in subsections
4 (b) and (c) may conduct state and national criminal history
5 record checks on personnel identified in subsections (b) and
6 (c), and participate in the rap back program, for the purpose of
7 determining suitability or fitness for a permit, license,
8 employment, or volunteer service; provided that the Hawaii
9 criminal justice data center may charge a reasonable fee for the
10 criminal history record checks performed. The agencies and
11 other entities named in subsections (b) and (c) shall notify
12 applicants, employees, and volunteers subject to a criminal
13 history record check pursuant to this section that their
14 fingerprints shall be retained by the Hawaii criminal justice
15 data center and the Federal Bureau of Investigation for all
16 purposes and uses authorized for fingerprint submissions.
17 Notification shall also be given to the applicants, employees,



1 and volunteers subject to the rap back program. The criminal
2 history record check shall include the submission of
3 fingerprints to:

4 (1) The Federal Bureau of Investigation for a national
5 criminal history record check; and

6 (2) The Hawaii criminal justice data center for a state
7 criminal history record check that shall include
8 nonconviction data[-] and an indication of the
9 applicant's, employee's, or volunteer's current
10 obligation, if any, to register as a covered offender
11 pursuant to chapter 846E.

12 Except as otherwise provided in this section, criminal history
13 record information shall be used exclusively for the stated
14 purpose for which it was obtained in accordance with section
15 378-2.5."

16 SECTION 2. Section 846E-3, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

18 "(a) Registration information shall be disclosed as
19 follows:

20 (1) The information shall be disclosed to [~~law~~
21 ~~enforcement]~~ criminal justice agencies, as defined in



1 section 846-1, for [law enforcement] administration of
2 criminal justice and covered offender registration
3 purposes;

- 4 (2) [~~The information~~] An indication regarding a covered
5 offender's current obligation to register, if any,
6 shall be disclosed in response to [government]
7 agencies and entities conducting confidential
8 [background] fingerprint-based state and national
9 criminal history record checks[+] pursuant to section
10 846-2.7; provided that such indication shall not
11 include disclosure of confidential registration
12 information; and

- 13 (3) The attorney general and any county police department
14 shall release public information as provided in
15 subsection (b) concerning a specific person required
16 to register under this chapter; provided that the
17 identity of a victim of an offense that requires
18 registration under this chapter shall not be
19 released."

20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on January 7, 2059.

2



Report Title:

Covered Offender Registration

Description:

Allows the attorney general to disclose confidential covered offender registration information to criminal justice agencies for administration of criminal justice and covered offender registration purposes and to disclose an indication of a covered offender's current obligation to register, if any, in response to a fingerprint-based state and national criminal history record check conducted pursuant to section 846-2.7, Hawaii Revised Statutes. Takes effect on 1/7/2059. (SD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

