
A BILL FOR AN ACT

RELATING TO PROTECTIVE ORDERS.

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

1 SECTION 1. Chapter 28, Hawaii Revised Statutes, is amended
2 by adding a new part to be appropriately designated and to read
3 as follows:

4 "PART . HAWAII HOPE CARD PROGRAM

5 §28-A Hawaii hope card program. (a) There is established
6 within the department of the attorney general a program to be
7 known as the Hawaii hope card program, which shall be
8 responsible for issuing hope cards to holders of a long term
9 protective order to allow law enforcement to quickly verify the
10 existence of the long term protective order and easily obtain
11 information regarding the long term protective order.

12 (b) The department of the attorney general shall employ,
13 without regard to chapter 76, a coordinator and an assistant to
14 the coordinator and other personnel as necessary to promote the
15 effective and efficient conduct of the Hawaii hope card
16 program's activities.



1 (c) A hope card may be requested by any person who has
2 been granted a long term protective order by submitting an
3 application to the department of the attorney general in a form
4 prescribed by the department of the attorney general. Upon
5 determining that the long term protective order upon which the
6 application is based is valid, the department of the attorney
7 general shall issue the applicant a hope card; provided that
8 more than one hope card may be issued to the applicant to:

9 (1) Provide to a school or employer;

10 (2) Enable any child or other individual covered by the
11 long term protective order to use the card; or

12 (3) Provide to the school, day care program, or other
13 similar entity of a child or other individual covered
14 by the long term protective order.

15 (d) A hope card shall be a laminated card, similar in size
16 and shape to a credit card, and shall display a color photograph
17 of the person to be restrained by the long term protective
18 order, if available, and contain essential information about the
19 long term protective order, including:

20 (1) Identifying characteristics of the person to be
21 restrained, including name, date of birth, sex, race,



1 eye and hair color, height, weight, and any
2 distinguishing features such as scars or tattoos;
3 (2) The case number and the issuing court of the long term
4 protective order;
5 (3) The issue and expiration date of the long term
6 protective order;
7 (4) The terms of the long term protective order;
8 (5) A website and Hawaii phone number by which law
9 enforcement personnel can access the Hawaii hope card
10 program database to verify the information on the hope
11 card;
12 (6) Identifying characteristics of the applicant,
13 including name, date of birth, sex, race, eye and hair
14 color, height, and weight; and
15 (7) The names and birth dates of any children or other
16 individuals who are also protected by the long term
17 protective order.
18 (e) The department of the attorney general may charge a
19 fee for each hope card that is issued, not to exceed
20 dollars per card. All moneys from the fee shall be deposited in



1 the Hawaii hope card program special fund established pursuant
2 to section 28-C.

3 (f) For the purposes of this part, "long term protective
4 order" shall mean an order granted for more than ninety days
5 under section 604-10.5, or an order granted for more than one
6 hundred eighty days under chapter 586.

7 **§28-B Access to Hawaii hope card program information;**
8 **verification.** (a) The department of the attorney general shall
9 maintain a confidential database of all hope cards, issued by
10 the Hawaii hope card program and their related long term
11 protective orders which only the hope program and law
12 enforcement personnel may access to verify the existence and
13 scope of a long term protective order.

14 (b) For the duration of the long term protective order,
15 access to the database shall be provided twenty-four hours a day
16 to law enforcement personnel by internet and telephone for which
17 the department of the attorney general shall maintain a Hawaii
18 phone number; provided that the name of the applicant shall not
19 be identified if the long term protective order was obtained
20 under section 604-10.5(e).



(c) Public access to information may be provided in coordination with the Hawaii criminal justice data center established under chapter 846.

§28-C Hawaii hope card program special fund. (a) There is established in the state treasury the Hawaii hope card program special fund, into which shall be deposited the following moneys:

(1) All fees collected by the department of the attorney general for the purposes of carrying out this part;

(2) Appropriations by the legislature to the special fund; and

(3) Gifts, donations, and grants from public agencies and private persons.

(b) The Hawaii hope card program special fund shall be administered by the department of the attorney general and shall be used for administering and operating the Hawaii hope card program.

(c) The department of the attorney general may expend moneys from the fund:

(1) For long term and temporary staff positions;



(2) To cover materials and equipment necessary to produce hope cards;

(3) To cover expenses incurred in maintaining internet and twenty-four telephone access;

(4) To produce public information materials; and

(5) To cover all other administrative and operational costs of the Hawaii hope card program.

(d) The department of the attorney general shall submit a report to the legislature no later than twenty days prior to the convening of each regular session to provide an accounting of the receipts and expenditures of the fund."

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2018-2019, to be deposited into the Hawaii hope card program special fund.

SECTION 3. There is appropriated out of the Hawaii hope card program special fund the sum of \$ or so much thereof as may be necessary for fiscal year 2018-2019, for the department of the attorney general to administer the Hawaii hope card program.



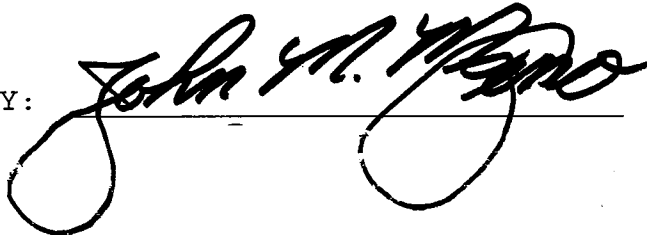
1 The sums appropriated shall be expended by the department
2 of the attorney general for the purposes of this Act.

3 SECTION 4. The department of the attorney general shall
4 develop and implement the Hawaii hope card program established
5 by section 1 of this Act no later than January 1, 2019.

6 SECTION 5. In codifying the new sections added by section
7 1 of this Act, the revisor of statutes shall substitute
8 appropriate section numbers for the letters used in designating
9 the new sections in this Act.

10 SECTION 6. This Act shall take effect on July 1, 2018.

11
12 INTRODUCED BY:

A handwritten signature in black ink, appearing to read "John M. Manno", is written over a horizontal line.

JAN 23 2018



H.B. NO. 2532

Report Title:

Hawaii Hope Card Program; Protective Orders

Description:

Establishes the Hawaii Hope Card Program within the Department of the Attorney General to issue Hope Cards upon request to those holding a long term protective order, with specified relevant information about the protective orders and all covered parties. Establishes a special fund. Appropriates funds. Effective July 1, 2018.

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

