

Honolulu, Hawaii
FEB 11 , 2020

RE: H.B. No. 2270
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2270 entitled:

"A BILL FOR AN ACT RELATING TO SEX OFFENDERS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Mandate a ten-year minimum term of imprisonment without the possibility of parole for any adult who is convicted of knowingly subjecting a minor under the age of twelve to sexual penetration; and
- (2) Prohibit registered sex offenders and offenders against minors from residing, permanently or temporarily, within five hundred feet of any public or private school, child care facility, playground, or park where children may gather.

Your Committee received testimony in support of this measure from three individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that Hawaii's children should be able to learn and play in a safe environment. Your Committee also finds that judges should be given discretion to sentence offenders on a



case-by-case basis. Imposing residency restrictions for all registered sex offenders and offenders against minors, regardless of the circumstances, may be difficult given Hawaii's housing shortage.

Accordingly, your Committee has amended this measure by:

- (1) Deleting the mandatory ten-year minimum term of imprisonment without the possibility of parole for any adult who is convicted of knowingly subjecting a minor under the age of twelve to sexual penetration;
- (2) Making the residency restriction for registered sex offenders and offenders against minors prospective;
- (3) Giving the court discretion to impose the residency restriction;
- (4) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of 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. 2270, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2270, H.D. 1, and be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



