

JAN 22 2021

A BILL FOR AN ACT

RELATING TO SEX OFFENDERS.

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

1 SECTION 1. Chapter 846E, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§846E- Sex offenders; residential restrictions. (a)

5 It shall be unlawful for any covered offender for whom
6 registration under section 846E-2 is required to, upon release
7 or conviction, reside, permanently or temporarily, within two
8 thousand feet of the property in which the covered offender's
9 victim or the victim's immediate family member resides.

10 (b) A victim or the victim's immediate family member's
11 change in address to a property located within two thousand feet
12 of a registered address of the covered offender after the date
13 of the offender's established residency at that address shall
14 not form the basis for a finding that the covered offender is in
15 violation of this section unless the covered offender is
16 convicted of a new covered offense after establishing residency.



1 (c) Prior to a change in address, a covered offender shall
2 obtain approval for the proposed change in address from the
3 attorney general.

4 (d) The attorney general shall adopt rules pursuant to
5 chapter 91 to afford covered offenders a reasonable opportunity
6 to obtain preapproval for a proposed change in address.

7 (e) For the purposes of this section:
8 "Immediate family member" includes the victim's spouse,
9 child, parent, and grandparent.

10 "Within two thousand feet" means the distance of the radius
11 from the center of the property on which the victim or victim's
12 immediate family member lives."

13 SECTION 2. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

18

INTRODUCED BY:  _____

S.B. NO. 826

Report Title:

Sex Offender; Residential Restriction; Former Victim

Description:

Prohibits a sex offender from residing within two thousand feet of the sex offender's former victim or the victim's immediate family members. Requires the covered offender to receive approval from the Attorney General prior to a change in address.

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

