STAND. COM. REP. NO. 1712

, 2021

Honolulu, Hawaii

APR 0 8

RE: S.B. No. 1042

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-First State Legislature Regular Session of 2021 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1042, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO COVERED OFFENDER REGISTRATION,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require persons who remain in Hawaii for more than ten days or for an aggregate period of more than thirty days per year and are subject to registration or community or public notification requirements as covered offenders or sexual offenders in another state or jurisdiction to register as a covered offender in Hawaii, regardless of whether the out-of-state conviction is a covered offense under Hawaii law; and
- (2) Amend the registration requirements for persons who establish or maintain a residence in Hawaii and are subject to registration or community or public notification requirements as covered offenders or sexual offenders in another state or jurisdiction.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Public Safety, and Department of the Prosecuting Attorney of the County of Maui.

Your Committee finds that the Hawaii Supreme Court recently ruled that, under existing law, a person who visits Hawaii for more than ten days or for more than thirty days per year does not need to register as a covered offender in Hawaii if the person's out-of-state conviction does not correspond to a covered offense under existing Hawaii law. This measure will better ensure compliance with the purpose and intent of Hawaii's covered offender registration laws.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 3021, to encourage further discussion; and
- (2) 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 & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1042, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1042, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

MARK M. NAKASHIMA, Chair

State of Hawaii House of Representatives The Thirty-first Legislature



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date:	7 1/ 1	
SB 1042 SD1	UHA.	_	3-16-2	-1
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold				
☐ Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)				
2. MATAYOSHI, Scot Z. (VC)	V			
3. ICHIYAMA, Linda				
	Vilva IIV. Latana ka			
4. KOBAYASHI, Dale T.	tinattiin vii talaanin kaskalahta Abtoomitti Bartiin tittiin oo bikaak kka miikk salviin vasta salviisiin masti		ititi Talaita kantata di Kambula da kasa sa kalais VII. S	-
5. LoPRESTI, Matthew S.		An and Samman and the same fall and a section State of the Same and Same	is sikila sekti sektik derbi titima sikilan das suktil	ir, 1, 190 <u>9</u> - 1, tar 1, pa _{r 1} , agis Eleivera Sila, Tathishiff
				以证据 任务的第三
6. LOWEN, Nicole E.			<u> </u>	
7. McKELVEY, Angus L.K.				
8. NAKAMURA, Nadine K.			<u>ay inanatahan an kanatanak dalahan da sana sa</u>	
o. MANAMONA, Maunic IX.				
O TAVIMI DOWM		<u> </u>		
9. TAKUMI, Roy M.				
10 TODD Chris				
10. TODD, Chris	MALINI A STATE			
11 TOVIOVA James Vancous				
11. TOKIOKA, James Kunane				
14 WARD Com				
12. WARD, Gene				
TOTAL (12)		X	&	(
The recommendation is: Adopted Not Adopted				
If joint referral, did not support recommendation.				
committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				
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