



GOV. MSG. NO. 1262

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 29, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 29, 2023, the following bill was signed into law:

SB410 SD1 HD2 CD1

RELATING TO EXPUNGEMENT.
ACT 159

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO EXPUNGEMENT.

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

1 SECTION 1. The legislature finds that court records for an
2 arrest or case that has been expunged from a person's record may
3 still be accessed by prospective employers, landlords, lenders,
4 educational institutions, and others. Though expunged, these
5 records can be regarded negatively and have a significant and
6 long-lasting impact on a person's future. The legislature
7 further finds that for a person who has received an expungement
8 order, the current process to have their records and other
9 information pertaining to the arrest or case sealed or removed
10 from the judiciary's publicly accessible electronic database
11 requires yet another petition.

12 The purpose of this Act is to require the court to
13 automatically seal or remove from the judiciary's publicly
14 accessible databases any information relevant to the arrest or
15 case of a person for whom an expungement order has been entered
16 and transmitted to the court.

17 The legislature notes that all law enforcement agencies,
18 including the department of the attorney general, sheriff



1 division, county prosecuting attorneys, and county police
2 departments, will continue to have access to information
3 regarding expunged cases, regardless of whether those agencies
4 utilize publicly accessible or other types of electronic
5 databases.

6 SECTION 2. Section 831-3.2, Hawaii Revised Statutes, is
7 amended by amending subsection (f) to read as follows:

8 "(f) [~~Any person for whom an expungement order has been~~
9 ~~entered may request in writing that the]~~ The court shall seal or
10 otherwise remove from the judiciary's publicly accessible
11 electronic databases all judiciary files and other information
12 pertaining to the applicable arrest or case [~~from the~~
13 ~~judiciary's publicly accessible electronic databases.] of any
14 person for whom an expungement order listing the court case
15 number has been entered and transmitted to the court. The court
16 shall make good faith diligent efforts to seal or otherwise
17 remove the applicable files and information within a reasonable
18 time."~~

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

21 SECTION 4. This Act shall take effect on July 1, 2025.



S.B. NO.

410
S.D. 1
H.D. 2
C.D. 1

APPROVED this **29th** day of **June**, 2023




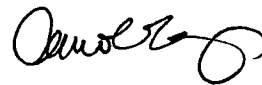
GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 2, 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.


President of the Senate


Clerk of the Senate

SB No. 410, SD 1, HD 2, CD 1

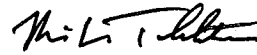
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives