S.B. NO. ⁴¹⁰ S.D. 1 H.D. 2

C.D. 1

A BILL FOR AN ACT

RELATING TO EXPUNGEMENT.

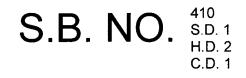
BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that court records for an 2 arrest or case that has been expunded from a person's record may 3 still be accessed by prospective employers, landlords, lenders, 4 educational institutions, and others. Though expunded, 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
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division, county prosecuting attorneys, and county police
 departments, will continue to have access to information
 regarding expunged cases, regardless of whether those agencies
 utilize publicly accessible or other types of electronic
 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.



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Report Title: Driver's Record; Public Record; Expungement; Judiciary

Description:

Requires the court to automatically seal or remove from the judiciary's publicly accessible databases any information relevant to the arrest or case of a person for whom an expungement order has been entered and transmitted to the court. Effective 7/1/2025. (CD1)

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

