STAND. COM. REP. NO. 1616

Honolulu, Hawaii

MAR 2 9

, 2023

RE: S.B. No. 1079

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2023 State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1079, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EXPUNGEMENT,"

begs leave to report as follows:

The purpose of this measure is to require courts to, upon written request, expunge records of convictions for first-time offenses involving:

- (1) Operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one; and
- (2) Certain property offenses, if the sentencing occurred before 1998.

Your Committee received testimony in support of this measure from the Office of the Public Defender. Your Committee received comments on this measure from the Judiciary.

Your Committee finds that this measure will assist many individuals who were sentenced for the offense of operating a vehicle after consuming a measurable amount of alcohol while under the age of twenty-one or committed certain property offenses prior

to 1998 in finding better employment and improving their all-around quality of life.

Your Committee notes that the Judiciary requested in its written testimony that this measure take effect on July 1, 2025, to allow system changes to be made to accommodate the requirements of this measure.

Your Committee has amended this measure by:

- (1) Changing the effective date to June 30, 3000, 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. 1079, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1079, 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,

DAVID A TARNAS Chair

## State of Hawaii House of Representatives The Thirty-second Legislature

## HSCR 1616

## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.:	Committee Referral:	Date:		
58 1079,501	JHI	<u> </u>	3/16/2023	
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass,	unamended (as is) Pass	with amendments (	(HD)	
Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)				
2. TAKAYAMA, Gregg (VC)				
3. GANADEN, Sonny				
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4. HOLT, Daniel	_		NET HERE	is the same of the
5. HASHIMOTO, Troy N.		· <b>340</b>		
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6. ICHIYAMA, Linda				
7. ILAGAN, Greggor				表400g CT
7. ILAGAN, Greggor	TELEVISION IN THE			
8. KONG, Sam Satoru			## <u>#</u>	
			July 1999	
9. MIZUNO, John M.			2222.25	
			77LV989.17	
10. SOUZA, Kanani				
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MODAL (40)	a			1
TOTAL (10)				
The recommendation is:  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				