
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 Act 159, Session
2 Laws of Hawaii 2023 (Act 159), requires the court to
3 automatically seal or remove from the judiciary's publicly
4 accessible databases any information relevant to the arrest or
5 case of a person for whom an expungement order has been entered
6 and transmitted to the court by July 1, 2025.

7 The legislature further finds that the court is currently
8 unable to effectuate Act 159 because the Hawaii criminal justice
9 data center is not statutorily authorized to release the
10 expungement orders to the judiciary.

11 Accordingly, the purpose of this Act is to provide the
12 Hawaii criminal justice data center with the statutory authority
13 to transmit all expungement orders to the judiciary.

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

16 "(f) Every expungement order with a court case number
17 issued by the attorney general shall be transmitted to the



1 judiciary solely for the purposes of this section. The court
2 shall seal or otherwise remove from the judiciary's publicly
3 accessible electronic databases all judiciary files and other
4 information pertaining to the applicable arrest or case of any
5 person for whom an expungement order listing the court case
6 number and arrest number associated with the offense has been
7 entered and transmitted to the court[-]; provided that the
8 court's duties under this subsection shall not apply to any case
9 referenced in the expungement order where the person for whom
10 the order has been entered:

- 11 (1) Was charged with multiple offenses at least one of
12 which is not the subject of the order; or
13 (2) Is only one of multiple defendants in the case at
14 least one of whom has not been the subject of a prior
15 expungement order.

16 The court shall make good faith diligent efforts to seal or
17 otherwise remove the applicable files and information within a
18 reasonable time."

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 Statutory material to be repealed is bracketed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



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



Report Title:

Attorney General; HCJDC; Judiciary; Expungement Orders

Description:

Authorizes the Hawaii Criminal Justice Data Center to transmit all expungement orders to the Judiciary to effectuate the purposes of Act 159, SLH 2023. (HD1)

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