

JAN 17 2025

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 issued by the attorney
17 general shall be transmitted to the judiciary solely for the



1 purposes of this subsection. The court shall seal or otherwise
2 remove from the judiciary's publicly accessible electronic
3 databases all judiciary files and other information pertaining
4 to the applicable arrest or case of any person for whom an
5 expungement order listing the court case number has been entered
6 and transmitted to the court. The court shall make good faith
7 diligent efforts to seal or otherwise remove the applicable
8 files and information within a reasonable time."

9 SECTION 3. New statutory material is underscored.

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

11

INTRODUCED BY: Karl Rhoad



S.B. NO. 861

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.

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

