

JAN 23 2026

A BILL FOR AN ACT

RELATING TO DOMESTIC ABUSE.

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

1 SECTION 1. The legislature finds that domestic abuse and
2 those who perpetrate it are an extreme threat to society. The
3 legislature further finds that domestic abuse is a widespread
4 and serious issue that affects individuals of all gender, ages,
5 races, and socioeconomic backgrounds and is a significant public
6 health and societal issue. The legislature also finds that
7 domestic abuse causes severe physical, emotional, and
8 psychological harm on its victims with further far-reaching
9 effects on those around them, creating cycles of violence,
10 intergenerational trauma, and social instability. In the State,
11 ohana, or family, is foundational to society. However, domestic
12 abuse undermines the integrity and well-being of family units,
13 which in turn, undermines the stability of the State's society.

14 The legislature further finds that it is in the best
15 interest of the State that the public be protected from
16 individuals exhibiting abusive and aggressive behavior by



1 requiring strict registration requirements of domestic abusers
2 and public notification of the presence of these perpetrators.

3 Accordingly, the purpose of this Act is to establish a
4 domestic abuse offender registry.

5 SECTION 2. The Hawaii Revised Statutes is amended by
6 adding a new chapter to be appropriately designated and to read
7 as follows:

8 **"CHAPTER**

9 **REGISTRATION OF DOMESTIC ABUSE OFFENDERS AND OTHER COVERED**

10 **OFFENDERS AND PUBLIC ACCESS TO REGISTRATION INFORMATION**

11 § -1 **Definitions.** As used in this chapter, unless the
12 context clearly requires otherwise:

13 "Agency having jurisdiction" means that agency with the
14 authority to direct the release of a person serving a sentence
15 or term of confinement or place a person on probation,
16 supervised release, or parole and includes the department of
17 corrections and rehabilitation, the Hawaii paroling authority,
18 the courts, and the department of health.

19 "Attorney general" means the attorney general of the State
20 of Hawaii, the department of the attorney general, or an
21 authorized representative of the attorney general.



1 "Chief of police" means the county chief of police, the
2 county police department, or an authorized representative of the
3 chief of police.

4 "Clean record" means no conviction for a felony or covered
5 offense, and if placed on probation or parole, completion of
6 probation or parole without more than one revocation.

7 "Conviction" means a judgment on the verdict, or a finding
8 of guilt after a plea of guilty or nolo contendere, excluding
9 the adjudication of a minor, and occurs on the date judgment is
10 entered.

11 "Covered offender" means a person who has been convicted of
12 the offense of abuse of a family or household members pursuant
13 to section 709-906 or of a crime that has involved violence or
14 threats against an individual who qualifies as a family or
15 household member.

16 "Covered offense" means a criminal offense described in
17 section 709-906 or a crime involving violence or threats against
18 an individual who qualifies as a family or household member.

19 "Family or household member" has the same meaning as
20 defined in section 709-906.



1 "Permanent residence" means a building, permanent structure
2 or unit therein, or watercraft where the covered offender
3 resides and intends to reside indefinitely, or at least for the
4 next one hundred eighty days, and which the offender owns,
5 rents, or occupies with the consent of the owner.

6 "Registration information" means the information specified
7 in section -2(c) and (d).

8 "Release" means release from:

- 9 (1) Imprisonment;
10 (2) Imprisonment and placed on parole;
11 (3) Imprisonment and placed on furlough;
12 (4) Any form of commitment, custody, or confinement
13 resulting from an order made pursuant to chapter 704;
14 or
15 (5) A halfway house or other equivalent facility,
16 whichever is later.

17 "Temporary residence" means a building, permanent structure
18 or unit therein, watercraft, emergency shelter, or transitional
19 housing facility where the covered offender resides, but does
20 not intend to reside for more than one hundred eighty days.



1 § -2 Domestic abuse offender registry; established;
2 registration requirements. (a) There is established within the
3 department of the attorney general a domestic abuse offender
4 registry.

5 (b) A covered offender shall register with the attorney
6 general and comply with the provisions of this chapter for life
7 or for a shorter period of time as provided by this chapter.
8 Registration under this subsection shall be required whenever
9 the covered offender, whether or not a resident of this State,
10 remains in this State for more than ten days or for an aggregate
11 period exceeding thirty days in one calendar year. A covered
12 offender shall be eligible to petition the court in a civil
13 proceeding for an order that the covered offender's registration
14 requirements under this chapter be terminated pursuant to
15 section -11.

16 (c) A person who establishes or maintains a residence in
17 this State or who remains in this State for more than ten days
18 or for an aggregate period exceeding thirty days in one calendar
19 year, and who has not been designated as a covered offender by
20 a court of this State but who has been designated as a
21 covered offender in another state or jurisdiction and was, as



1 a result of the designation, subjected to registration or
2 community or public notification, or both, or would be if the
3 person was a resident of that state or jurisdiction, without
4 regard to whether the person otherwise meets the criteria for
5 registration as a covered offender, shall register in the
6 manner provided in this section. A person who meets the
7 criteria of this subsection is subject to the requirements of
8 this chapter for covered offenders and penalty provisions of
9 section -10 until the person successfully petitions:

10 (1) The attorney general for termination of registration
11 requirements by providing an order issued by the
12 court that designated the person as a covered
13 offender in the state or jurisdiction in which the
14 order was issued, which states that the designation
15 has been removed or demonstrates to the attorney
16 general that the designation, if not imposed by a
17 court, has been removed by operation of law or court
18 order in the state or jurisdiction in which the
19 designation was made, and the person does not meet
20 the criteria for registration as a covered offender
21 under the laws of this State; provided that if the



1 person is not satisfied with the decision of the
2 attorney general on the request for termination of
3 registration requirements, the person may appeal the
4 decision pursuant to chapter 91; or

5 (2) The court for termination of registration requirements
6 pursuant to section -11.

7 (c) Registration information for each covered offender
8 shall include a signed statement by the covered offender
9 containing:

10 (1) The name, all prior names, nicknames and pseudonyms,
11 and all aliases used by the covered offender or under
12 which the covered offender has been known and other
13 identifying information, including date of birth and
14 any alias date of birth, social security number and
15 any alias social security number, sex, race, height,
16 weight, hair and eye color, and blood type;

17 (2) The actual address and telephone number of the covered
18 offender's permanent residence or the address of the
19 covered offender's current temporary residence, or if
20 an address is not available, a description of the
21 place or area in which the covered offender resides



1 for at least thirty nonconsecutive days within a
2 sixty-day period, and for each address or place where
3 the covered offender resides, how long the covered
4 offender has resided there;

5 (3) The actual address or description of the place or
6 area, the actual length of time of the stay, and
7 telephone number where the covered offender is staying
8 for a period of more than ten days, if other than the
9 stated residence;

10 (4) If known, the future address and telephone number of
11 the place where the covered offender is planning to
12 reside, if other than the stated residence;

13 (5) Any electronic mail address, any instant message name,
14 any internet designation or moniker, and any internet
15 address used for routing or self-identification;

16 (6) Any cell phone number and other designations used for
17 routing or self-identification in telephonic
18 communications;

19 (7) Names and, if known, actual business addresses of
20 current and known future employers, including
21 information for any place where the covered offender



1 works as a volunteer or otherwise works without
2 remuneration, and the starting and ending dates of any
3 employment;

4 (8) For covered offenders who may not have a fixed place
5 of employment, a description of the places where such
6 a covered offender works, such as information about
7 normal travel routes or the general area or areas in
8 which the covered offender works;

9 (9) Professional licenses held by the covered offender;

10 (10) Names and actual addresses of current and known future
11 educational institutions with which the covered
12 offender is affiliated in any way, whether or not
13 compensated, including but not limited to affiliation
14 as a faculty member, employee, or student, and the
15 starting and ending dates of any of these
16 affiliations;

17 (11) The year, make, model, color, and license or
18 registration or other identifying number of all
19 vehicles, including automobiles, watercrafts, and
20 aircrafts, currently owned or operated by the covered
21 offender and the address or description of the place



1 or places where the covered offender's vehicle or
2 vehicles are habitually parked, docked, or otherwise
3 kept;

4 (12) Passports and information about the passports, if the
5 covered offender has passports, and documents
6 establishing immigration status and information about
7 these documents, if the covered offender is an alien;

8 (13) A statement listing all covered offenses for which the
9 covered offender has been convicted or found unfit to
10 proceed or acquitted pursuant to chapter 704;

11 (14) A statement indicating whether the covered offender
12 has received or is currently receiving treatment
13 ordered by a court of competent jurisdiction or by the
14 Hawaii paroling authority;

15 (15) A statement indicating whether the covered offender is
16 a United States citizen;

17 (16) Any additional identifying information about the
18 covered offender; and

19 (17) The statement signed by the covered offender pursuant
20 to subsection (e).



1 (d) The following information shall also be included in
2 the registry for each covered offender:

3 (1) A current photograph of the covered offender;

4 (2) A physical description of the covered offender,
5 including a description of particular identifying
6 characteristics such as scars or tattoos;

7 (3) Confirmation that the covered offender has provided
8 digitized fingerprints and palm prints of the covered
9 offender;

10 (4) Judgment of conviction, judgment of acquittal, or
11 judicial determination of unfitness to proceed
12 documenting the criminal offense or offenses for which
13 the covered offender is registered;

14 (5) The text, or an electronic link to the text, of the
15 provision of law defining the criminal offense or
16 offenses for which the covered offender is registered;

17 (6) The criminal history of the covered offender, or an
18 electronic link to the criminal history, including the
19 date of all arrests and convictions, the status of
20 parole, probation, or supervised release, registration



1 status, and the existence of any outstanding arrest
2 warrants for the covered offender;

3 (7) Confirmation that the covered offender has provided a
4 DNA buccal swab sample as required by chapter 844D;

5 (8) Confirmation that the covered offender provided a
6 sample of saliva and two samples of blood for the
7 purpose of secretor status;

8 (9) Digitized copies of a valid driver's license or
9 identification card issued to the covered offender, or
10 an electronic link to such records; and

11 (10) Digitized copies of passports and documents
12 establishing immigration status, or an electronic link
13 to such records.

14 (e) Whenever a covered offender provides registration
15 information, during initial registration as a covered offender
16 or when providing notice of a change in registration
17 information, the covered offender shall sign a statement
18 verifying that all of the registration information is accurate
19 and current. The covered offender shall provide in the signed
20 statement the following information:



1 (f) In addition to the requirement under subsection (b) to
2 register with the attorney general and comply with the
3 provisions of this chapter until a court relieves the covered
4 offender of the registration requirements of this chapter, each
5 covered offender shall also register in person with the chief of
6 police where the covered offender resides or is present.
7 Registration under this subsection is for the purpose of
8 providing the covered offender's photograph, fingerprints, and
9 registration information. Registration under this subsection is
10 required whenever the covered offender, whether or not a
11 resident of this State, remains in this State for more than ten
12 days or for an aggregate period exceeding thirty days in one
13 calendar year. Covered offenders required to register in person
14 with the chief of police under this subsection shall register no
15 later than three working days after the earliest of:

- 16 (1) Arrival in this State;
17 (2) Release from incarceration;
18 (3) Release from commitment;
19 (4) Release on furlough;
20 (5) Conviction for a covered offense, unless incarcerated;
21 (6) Release on probation;



1 (7) Placement on parole; or

2 (8) Arrival in a county in which the covered offender
3 resides or expects to be present for a period
4 exceeding ten days.

5 In addition to any other requirement to register under this
6 subsection or subsection (b), a covered offender shall report in
7 person every year, within thirty days from the offender's date
8 of birth, to the chief of police where the covered offender
9 resides, or to any other department or agency that may be
10 designated by the attorney general in rules adopted pursuant to
11 chapter 91 for purposes of the administration of this
12 subsection, and shall review the existing information in the
13 registry that is within the offender's knowledge, correct any
14 information that has changed or is inaccurate, provide any new
15 information that may be required, and allow the police and other
16 department or agency designated by the attorney general to take
17 a current photograph of the offender.

18 § -3 Access to registration information. (a)

19 Registration information shall be disclosed as follows:

20 (1) The information shall be disclosed to a law
21 enforcement agency for law enforcement purposes;



- 1 (2) The information shall be disclosed to government
2 agencies conducting confidential background checks;
- 3 (3) The attorney general and any county police department
4 shall release public information as provided in
5 subsection (b) concerning a specific person required
6 to register under this chapter; provided that the
7 identity of a victim of an offense that requires
8 registration under this chapter shall not be released.
- 9 (b) For the purposes of this section, "public information"
10 means:
- 11 (1) Name, prior names, nicknames and pseudonyms, and all
12 aliases used by the covered offender or under which
13 the covered offender has been known;
- 14 (2) The year of the covered offender's date of birth and
15 the year of the covered offender's alias dates of
16 birth;
- 17 (3) A physical description of the covered offender that
18 includes any particular identifying characteristics,
19 including scars or tattoos;
- 20 (4) The actual address where the covered offender resides
21 or any current, temporary address where the covered



1 offender resides or, if an address is not available, a
2 description of any place or area in which the covered
3 offender resides for at least thirty nonconsecutive
4 days within a sixty-day period, and, for each address
5 or place where the covered offender resides, how long
6 the covered offender has resided there;

7 (5) The actual address or description of the place or area
8 where the covered offender is staying for more than
9 ten days, if other than the stated residence, and the
10 actual length of time of the stay;

11 (6) The future actual address, if known, where the covered
12 offender is planning to reside, if other than the
13 stated residence;

14 (7) The street name and zip code of the covered offender's
15 current locations of employment, including information
16 for any place where the covered offender works as a
17 volunteer or otherwise works without remuneration;

18 (8) For covered offenders who may not have a fixed place
19 of employment, a description of the places where such
20 a covered offender works;

21 (9) Professional licenses held by the covered offender;



1 (10) Names and actual addresses of current and known future
2 educational institutions with which the covered
3 offender is affiliated as a faculty member, employee,
4 or student, and the starting and ending dates of any
5 of these affiliations;

6 (11) The year, make, model, color, and license number of
7 all vehicles, including automobiles, watercrafts, and
8 aircrafts, currently owned or operated by the covered
9 offender, excluding vehicles operated exclusively for
10 purposes of work;

11 (12) A statement listing all covered offenses for which the
12 covered offender has been convicted or found unfit to
13 proceed or acquitted pursuant to chapter 704;

14 (13) Judgment of conviction, judgment of acquittal, or
15 judicial determination of unfitness to proceed
16 documenting the criminal offense or offenses for which
17 the covered offender is registered;

18 (14) The text, or an electronic link to the text, of the
19 provision of law defining the criminal offense or
20 offenses for which the covered offender is registered;
21 and



1 (15) A recent photograph of the covered offender.

2 The identity of any victim of the covered offense shall not
3 be disclosed and any documentation containing this information
4 shall be redacted to prevent disclosure.

5 (c) To facilitate community notification, after a covered
6 offender registers or updates a registration, the attorney
7 general may provide public information in the registry about
8 that offender to any organization, company, or individual who
9 requests notification pursuant to procedures established by the
10 attorney general through rules adopted pursuant to chapter 91.

11 (d) A covered offender may seek correction of erroneous
12 public information by petitioning the attorney general to make
13 the correction. If the covered offender is not satisfied with
14 the decision of the attorney general on the request for
15 correction, the covered offender may appeal the decision
16 pursuant to chapter 91.

17 (e) Public access to a covered offender's public
18 information shall be permitted with regard to each covered
19 offender beginning the next working day following the filing of
20 a judgment of conviction, a finding of unfitness to proceed or
21 an acquittal due to mental disease, disorder, or defect, for a



1 covered offense, or as soon thereafter as is practical. When a
2 notice of appeal has been filed, the public information shall
3 note that the covered offender has filed a notice of appeal.
4 The public information shall be removed upon the reversal of the
5 covered offender's conviction or the granting of a pardon to the
6 covered offender.

7 (f) Public access authorized by this section shall be
8 provided by both public internet access and on-site public
9 access; provided that on-site public access shall be provided
10 for each covered offender at the Hawaii criminal justice data
11 center and at one or more designated police stations in each
12 county, to be designated by the attorney general, between the
13 hours of 8:00 a.m. and 4:30 p.m. on weekdays, excluding
14 holidays.

15 (g) Public access to the public information for each
16 covered offender shall be permitted while the covered offender
17 is subject to domestic abuse registration, except that after
18 forty years have elapsed after release or sentencing, whichever
19 is later, a covered offender may petition the court in a civil
20 proceeding to terminate public access. In the civil proceeding
21 to terminate public access, the State shall be represented by



1 the attorney general; provided that the attorney general, with
2 the prosecuting agency's consent, may designate the prosecuting
3 agency that prosecuted the covered offender for the most recent
4 covered offense within the State to represent the State. For
5 covered offenders who have never been convicted of a covered
6 offense within the State of Hawaii, the attorney general shall
7 represent the State; provided that the attorney general, with
8 the prosecuting agency's consent, may designate the prosecuting
9 agency for the county in which the covered offender resides to
10 represent the State. The court may order this termination upon
11 substantial evidence and more than proof by a preponderance of
12 the evidence that:

- 13 (1) The covered offender has had no new convictions for
14 covered offenses;
- 15 (2) The covered offender is very unlikely to commit a
16 covered offense ever again; and
- 17 (3) Public access to the covered offender's public
18 information will not assist in protecting the safety
19 of the public or any member thereof;



1 provided that a denial by the court for relief pursuant to a
2 petition under this section shall preclude the filing of another
3 petition for five years from the date of the last denial.

4 (h) If a covered offender has been convicted of only one
5 covered offense and that covered offense is a misdemeanor and
6 was not committed against a minor, the covered offender shall
7 not be subject to the public access requirements set forth in
8 this section.

9 (i) The following message shall be posted at both the site
10 of internet access and on-site public access locations:

11 "Information regarding covered offenders is permitted
12 pursuant to chapter . Public access to this information
13 is based solely on the fact of each offender's criminal
14 conviction and is not based on an estimate of the
15 offender's level of dangerousness. By allowing public
16 access to this information, the State makes no
17 representation as to whether the covered offenders listed
18 are dangerous. Any person who uses the information in this
19 registry to injure, harass, or commit a criminal act
20 against any person included in the registry may be subject
21 to criminal prosecution, civil liability, or both."



1 (j) The public access provisions of this section shall
2 apply to all covered offenders without regard to the date of
3 conviction.

4 (k) For the purposes of this section, "conviction" means:

5 (1) A judgment on the verdict, or a finding of guilt after
6 a plea of guilty or nolo contendere, excluding the
7 adjudication of a minor;

8 (2) A finding of unfitness to proceed resulting in the
9 release of the covered offender into the community,
10 excluding a finding as to a minor; or

11 (3) An acquittal due to a physical or mental disease,
12 disorder, or defect pursuant to chapter 704 resulting
13 in the release of the covered offender into the
14 community, excluding an acquittal as to a minor.

15 **§ -4 Duties upon discharge, parole, or release of a**
16 **domestic abuse offender.** (a) Each person, or that person's
17 designee, in charge of a jail, prison, hospital, school, or
18 other institution to which a covered offender has been committed
19 pursuant to a conviction, or an acquittal or finding of
20 unfitness to proceed pursuant to chapter 704, for a covered
21 offense, and each judge, or that judge's designee, who continues



1 bail for or releases a covered offender following sentencing and
2 the entry of a judgment of conviction, who releases a covered
3 offender on probation or who discharges a covered offender upon
4 payment of a fine, and each agency having jurisdiction, shall,
5 prior to the discharge, parole, or release of the covered
6 offender:

7 (1) Explain to the covered offender the duty to register
8 and the consequences of failing to register under this
9 chapter;

10 (2) Obtain from the covered offender all of the
11 registration information required by this chapter;

12 (3) Inform the covered offender that if at any time the
13 covered offender changes any of the covered offender's
14 registration information, the covered offender shall
15 notify the attorney general of the new registration
16 information in writing within three working days;

17 (4) Inform the covered offender that, if at any time the
18 covered offender changes residence to another state,
19 the covered offender shall register the new address
20 with the attorney general and also with a designated
21 law enforcement agency in the new state, if the new



1 state has a registration requirement, within the
2 period of time mandated by the new state's sex
3 offender registration laws;

4 (5) Obtain and verify fingerprints, samples of saliva and
5 blood, and a photograph of the covered offender, if
6 these have not already been obtained or verified in
7 connection with the offense that triggers the
8 registration; provided that any samples of saliva and
9 blood shall be analyzed and the results shall be
10 recorded, preserved, and disseminated in a manner
11 established by the Hawaii criminal justice data
12 center;

13 (6) Require the covered offender to sign a statement
14 indicating that the duty to register has been
15 explained to the covered offender; and

16 (7) Give one copy of the signed statement and one copy of
17 the registration information to the covered offender.

18 (b) No covered offender required to register under this
19 chapter shall be discharged, released from any confinement, or
20 placed on parole or probation unless the requirements of



1 subsection (a) have been satisfied and all registration
2 information required under section -2 has been obtained.

3 (c) An agency having jurisdiction over the covered
4 offender shall obtain documentation of any treatment the covered
5 offender received for a mental disease, defect, or disorder, if
6 any, and any additional physical identifying factors, including
7 scars or tattoos, to be included in the covered offender's
8 registration information.

9 (d) Notwithstanding any law to the contrary, a copy of the
10 signed statement and one copy of the registration information
11 shall be transmitted to the attorney general within three
12 working days.

13 (e) Following receipt of the information from the agency
14 having jurisdiction over the covered offender, the attorney
15 general immediately shall enter the information into a statewide
16 record system, unless the information has been previously
17 entered into a statewide record system, and notify the county
18 police department or appropriate law enforcement agency having
19 jurisdiction where the covered offender expects to reside.

20 (f) A covered offender shall report in person every three
21 years to the chief of police where the covered offender's



1 residence is located or to any other department or agency that
2 may be designated by the attorney general in rules adopted
3 pursuant to chapter 91 for purposes of the administration of
4 this subsection, and shall review the existing information in
5 the registry that is within the offender's knowledge, correct
6 any information that has changed or is inaccurate, provide any
7 new information that may be required, and allow the police and
8 any other department or agency designated by the attorney
9 general to take a current photograph of the offender.

10 (g) The chief of police shall transmit any covered
11 offender registration information required by this chapter to
12 the attorney general, by entering the information into a
13 statewide record system, if the information has not previously
14 been entered into the system, and also shall provide the
15 attorney general with a photograph and fingerprints of the
16 covered offender, taken at the time the covered offender
17 registers with the chief of police.

18 § -5 Domestic abuse offender; release from
19 incarceration; notification to appropriate county police
20 department; required. A domestic abuse offender who is released
21 from incarceration or shall register, in person, with the chief



1 of police of the police department of the county in which the
2 offender resides or expects to be remain in for not less than
3 thirty days, within three days from the date that the offender
4 arrives in the county.

5 § -6 Periodic verification of registry information. (a)

6 A covered offender who has registered a permanent residence
7 address to which the United States Postal Service will deliver
8 mail or a permanent residence and a registered post office box,
9 during the first week of the months of January, April, July, and
10 October of every year, the attorney general shall mail a
11 nonforwardable verification form to the last reported permanent
12 residence address or post office box of the covered offender.

13 Upon receipt of the verification form:

14 (1) The covered offender shall sign the verification form
15 and state that the covered offender still resides at
16 the address last reported to the attorney general and
17 that no other registration information has changed or
18 shall provide the new information; and

19 (2) The covered offender shall mail the signed and
20 completed verification form to the attorney general
21 within ten days after receipt of the form.



1 (b) For the covered offender who has registered:
2 (1) A temporary residence address;
3 (2) A description of a place or area in which the covered
4 offender resides for at least thirty nonconsecutive
5 days within a sixty-day period;
6 (3) No place of residence; or
7 (4) A permanent residence address, to which the United
8 States Postal Service will not deliver mail, and has
9 no registered post office box,
10 during the first week of the months of January, April, July, and
11 October of every year, the covered offender shall report to the
12 chief of police where the covered offender resides, or to any
13 other department or agency that may be designated by the
14 attorney general in rules adopted pursuant to chapter 91 for
15 purposes of administration of this section, and shall review the
16 existing information in the registry that is within the covered
17 offender's knowledge, correct any information that has changed
18 or is inaccurate, and provide any new information that may be
19 required.

20 § -7 Requirement to register a change of residence;
21 verification by the attorney general. (a) A covered offender



1 required to register under this chapter, who changes their
2 residence after an initial registration with the attorney
3 general, shall notify the attorney general of their new address
4 in writing within three working days of the change.

5 (b) If a covered offender leaves the State and establishes
6 a new residence in another state that has a registration
7 requirement, the person shall register with the designated law
8 enforcement agency in the state to which the person moves,
9 within ten days.

10 (c) For the purposes of this section, a covered offender
11 shall be deemed to have established a new residence during any
12 period in which the covered offender is absent from their
13 registered residence for ten or more days.

14 **§ -8 Notification by the attorney general of changes in**
15 **residence.** Immediately, and in no event, not later than ten
16 days after receiving notice of a change of registration
17 information, the attorney general shall report the change of
18 registration information by a covered offender required to
19 register under this chapter to the county police department
20 where the covered offender is residing. If the person changes
21 residence to another state, the attorney general also shall



1 notify the law enforcement agency with which the person must
2 register in the new state, if the new state has a registration
3 requirement.

4 § -9 **Good faith immunity.** A law enforcement agency, its
5 employees, and state and county officials shall be immune from
6 liability for good faith conduct under this chapter.

7 § -10 **Registry requirements; failure to comply;**
8 **penalties.** (a) A person commits the offense of failure to
9 comply with covered offender registration requirements if the
10 person is required to register under this chapter and the
11 person:

12 (1) Recklessly fails to comply with the requirements of
13 this chapter; or

14 (2) Intentionally or knowingly fails to comply with the
15 requirements of this chapter.

16 (b) A person who recklessly commits the offense of failure
17 to comply with covered offender registration requirements shall
18 be guilty of:

19 (1) A misdemeanor for a first offense; and

20 (2) A class C felony for a second or subsequent offense.



1 (c) A person who knowingly or intentionally commits the
2 offense of failure to comply with covered offender registration
3 requirements shall be guilty of a class C felony.

4 § -11 Termination of registry requirements; compliance.

5 (a) Tier 2 offenses. A covered offender who has been convicted
6 of:

7 (1) Two or more separate offenses under section 709-906 or
8 that involve a crime of violence or threats against an
9 individual who qualifies as a family or household
10 member; or

11 (2) An offense that resulted in the death or serious
12 bodily injury of a person who qualifies as a family or
13 household member,

14 shall register for life and shall not petition the court, in a
15 civil proceeding, for termination of registration requirements.

16 (b) Tier 2 offenses. A covered offender who has
17 maintained a clean record for the previous five years, excluding
18 any time the offender was in custody or civilly committed, and
19 who has substantially complied with the registration
20 requirements of this chapter for the previous five years or for
21 the five years that this chapter has been applicable, and who is



1 not a repeat offender and has not been convicted of an offense
2 described in subsection (a) (2) may petition the court, in a
3 civil proceeding, for termination of registration requirements.

4 (c) In the civil proceeding for termination of
5 registration requirements, the State shall be represented by the
6 attorney general; provided that the attorney general, with the
7 prosecuting agency's consent, may designate the prosecuting
8 agency that prosecuted the covered offender for the most recent
9 covered offense within the State to represent the State. For
10 covered offenders who have never been convicted of a covered
11 offense within the State, the attorney general shall represent
12 the State; provided that the attorney general, with the
13 prosecuting agency's consent, may designate the prosecuting
14 agency for the county in which the covered offender resides to
15 represent the State. The court may order this termination upon
16 substantial evidence and more than proof by a preponderance of
17 the evidence that:

18 (1) The covered offender has met the statutory
19 requirements of eligibility to petition for
20 termination;



1 (2) The covered offender has substantially complied with
2 registration requirements;

3 (3) The covered offender is very unlikely to commit a
4 covered offense ever again; and

5 (4) Registration by the covered offender will not assist
6 in protecting the safety of the public or any member
7 thereof.

8 § -12 Tolling. The time periods provided for in this
9 chapter shall be tolled during any period of time the covered
10 offender is committed or recommitted to prison or confined to a
11 halfway house, or an equivalent facility, pursuant to a parole
12 or probation violation."

13 SECTION 3. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so much
15 thereof as may be necessary for fiscal year 2026-2027 for the
16 establishment of the domestic abuse offender registry.

17 The sum appropriated shall be expended by the department of
18 the attorney general for the purposes of this Act.

19 SECTION 4. If any provision of this Act, or the
20 application thereof to any person or circumstance, is held
21 invalid, the invalidity does not affect other provisions or



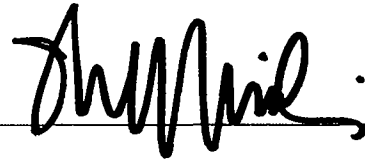
1 applications of the Act that can be given effect without the
2 invalid provision or application, and to this end the provisions
3 of this Act are severable.

4 SECTION 5. This Act shall apply to any acts committed
5 prior to, on, or after its effective date.

6 SECTION 6. This Act shall take effect on July 1, 2026.

7

INTRODUCED BY:

A handwritten signature in black ink, appearing to read "J. M. ...", is written over a horizontal line.



S.B. NO. 2813

Report Title:

AG; Domestic Abuse Offender Registry; Public Safety; Law Enforcement; Appropriation

Description:

Establishes the Domestic Abuse Offender Registry within the Department of the Attorney General. Appropriates funds.

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

