

A Bill for an Act Relating to Forfeiture.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Act 260, Session Laws of Hawaii 1988, is amended by amending section 7 to read as follows:

“SECTION 7. This Act shall take effect upon its approval; provided that on July 1, [1990] 1993, this Act shall be repealed and sections 842-3, 329-55, and 701-119, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day before the approval of this Act; provided further that the repeal of this Act shall not affect the rights and duties that matured, penalties that were incurred, property seizures that have been initiated, and properties that have been forfeited pursuant to this Act, and such rights, duties, penalties, seizures, and forfeitures shall be determined and adjudicated in accordance with the provisions of this Act.”

SECTION 2. Section 712A-16, Hawaii Revised Statutes, is amended by amending subsection (6) to read as follows:

“(6) [The] Not less than twenty days prior to the convening of each regular session, the attorney general shall [annually] provide to the legislature [an accounting of the fund, all forfeited properties, the sale proceeds thereof, and the allocation of moneys to any agency pursuant to this section] a report on the use of the Hawaii omnibus criminal forfeiture act during the fiscal year preceding the legislative session. The report shall include:

- (a) The total amount and type of property seized by law enforcement agencies;
- (b) The total number of administrative and judicial actions filed by prosecuting attorneys and the disposition thereof;
- (c) The total number of claims or petitions for remission or mitigation filed in administrative actions and the dispositions thereof;
- (d) The total amount and type of property forfeited and the sale proceeds thereof;
- (e) The total amount and type of property distributed to units of state and local government;
- (f) The amount of money deposited into the criminal forfeiture fund;
and
- (g) The amount of money expended by the attorney general from the criminal forfeiture fund under subsection (5) and the reason for the expenditures.”

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval shall take effect on June 30, 1990.

(Approved June 19, 1990.)