

ACT 165

H.B. NO. 1585

A Bill for an Act Relating to Criminal History Record Information.

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

SECTION 1. The purpose of this Act is to clarify which state and county agencies or programs are exempt from paying fees for services related to criminal history record information maintained by the Hawaii criminal justice data center.

SECTION 2. Section 846-10.5, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

“(a) Except for services provided to criminal justice agencies and state or county agencies[,] for employment purposes, the Hawaii criminal justice data center and state and county criminal justice agencies shall assess the following fees for

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services provided or to be provided, which shall be deposited into the criminal history record improvement revolving fund:

- (1) For each [Hawaii] criminal history record name check, conducted by the data center, and other state and county agencies, \$10;
- (2) For each [Hawaii] criminal history record name check, via a public access terminal, for which a printout is requested, \$5 per printout;
- (3) For each fingerprint-based search of the [Hawaii] automated fingerprint identification system or manual fingerprint files, \$15;
- (4) For processing of each application for the expungement of arrest records, \$15;
- (5) For certification of documents, \$5 per document;
- (6) For each duplicate expungement certificate requested, \$10; and
- (7) For each complete set of fingerprints taken, \$10.”

2. By amending subsection (c) to read:

“(c) [Non-profit] Nonprofit charitable organizations that are tax-exempt under [the] Internal Revenue Code [(IRC) section] Section 501(c)(3) [will] shall be exempt from fees for criminal history record checks conducted on adult volunteers having direct contact with minors.”

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 Statutory material to be repealed is bracketed.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

SECTION 4. This Act shall take effect upon its approval.

(Approved June 16, 1997.)