

ACT 63

H.B. NO. 297

A Bill for an Act Relating to Drugs.

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

SECTION 1. Chapter 28, Hawaii Revised Statutes, is amended by adding a new part to be appropriately designated and to read as follows:

**“PART . DRUG NUISANCE ABATEMENT UNIT**

**§28- Drug nuisance abatement unit.** (a) There is established in the department of the attorney general a drug nuisance abatement unit.

(b) The unit shall employ such attorneys, auditors, investigators, and other personnel as necessary to promote the effective and efficient conduct of the unit’s activities. Except for the attorneys, all other employees of the drug nuisance abatement unit shall be subject to chapter 76.

(c) The purpose of the drug nuisance abatement unit shall be to provide for the effective enforcement and prosecution of those violations of the drug nuisance abatement laws under chapter 712, part V but only for offenses related to drugs and intoxicating compounds as provided under chapter 712, part IV. The drug nuisance abate unit may also review and take appropriate action on drug nuisance complaints of any citizen of the State, or drug nuisances that are discovered by the unit in carrying out its activities.”

SECTION 2. Section 712A-16, Hawaii Revised Statutes, is amended by amending subsection (4) to read as follows:

“(4) There is established in the department of the attorney general a revolving fund to be known as the criminal forfeiture fund, hereinafter referred to as the “fund” in which shall be deposited one-half of the proceeds of a forfeiture and any penalties paid pursuant to section 712A-10(6). All moneys in the fund shall be expended by the attorney general and are hereby appropriated for the following purposes:

- (a) The payment of any expenses necessary to seize, detain, appraise, inventory, safeguard, maintain, advertise, or sell property seized, detained, or forfeited pursuant to this chapter or of any other necessary expenses incident to the seizure, detention, or forfeiture of such property and such contract services and payments to reimburse any federal, state, or county agency for any expenditures made to perform the foregoing functions;
- (b) The payment of awards for information or assistance leading to a civil or criminal proceeding;
- (c) The payment of supplemental sums to state and county agencies for law enforcement purposes; [and]
- (d) The payment of expenses arising in connection with programs for training and education of law enforcement officers[-]; and
- (e) The payment of expenses arising in connection with enforcement pursuant to the drug nuisance abatement unit in the department of the attorney general.”

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2003-2004 and the same sum or so much thereof as may be necessary for fiscal year 2004-2005 for the establishment and implementation of a drug nuisance abatement unit within the department of the attorney general.

SECTION 4. The sums appropriated shall be expended by the department of the attorney general for the purposes of this Act.

SECTION 5.<sup>1</sup> This Act shall take effect on July 1, 2003.

(Approved May 19, 2003.)

**Note**

- 1. No Ramseyer clause.