

ACT 160

S.B. NO. 2108

A Bill for an Act Relating to Criminal Process.

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

SECTION 1. Section 806D-1, Hawaii Revised Statutes, is amended by amending the definition of “criminal process” to read as follows:

““Criminal process” means a search warrant or legal process issued pursuant to chapters ~~28~~, 621, 622, and 803; the Hawaii rules of penal procedure; and any other legal process signed by a judge or clerk of the district or circuit court and issued in a criminal matter ~~[which]~~ that allows the search for or commands production of records that are in the actual or constructive possession of the recipient, regardless of whether the recipient or the records are physically located within the State.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved June 29, 2016.)