July 7, 2014

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 7, 2014, the following bill was signed into law:

SB1015 SD1 HD1 CD1  
RELATING TO PRODUCTION OF RECORDS  
ACT 219 (14)

Sincerely,

NEIL ABERCROMBIE  
Governor, State of Hawaii
A BILL FOR AN ACT

RELATING TO PRODUCTION OF RECORDS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAI'I:

SECTION 1. Section 806D-1, Hawaii Revised Statutes, is amended by amending the definition of "recipient" to read as follows:

"Recipient" means a person, as defined in section 701-118, or a business, as defined in section 487J-1, that has conducted business or engaged in transactions or activities occurring at least in part in the State from which process was issued upon whom process is properly served."

SECTION 2. Section 806D-4, Hawaii Revised Statutes, is amended to read as follows:

"806D-4 Service of process issued by or in another state. (a) When a Hawaii recipient is properly served with process issued by or in another state that commands the production of records in the actual or constructive possession of that person or business, and such process on its face purports to be a valid process based on a pending criminal investigation or prosecution in that other state, the process so served shall have the same force and effect as if served in this state."

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state, the Hawaii recipient shall comply with that process as if that process had been issued by a Hawaii court[ ]; provided that the issuing state has a statute authorizing the production of records held by out-of-state persons or businesses.

(b) The service of process issued by or in another state shall include the following information:

(1) The name, office, business address, telephone number, and electronic mail address of the person applying for the issuance of the service of process;

(2) The statute authorizing the production of records held by out-of-state persons or businesses; and

(3) The relevant criminal statutes upon which the pending investigation or prosecution is based.

(c) As used in this section, "Hawaii recipient" means a recipient who is physically present in the State of Hawaii."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before the effective date of this Act.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.
APPROVED this 7th day of JUL, 2014

GOVERNOR OF THE STATE OF HAWAII

 Neil Abercrombie