A BILL FOR AN ACT

RELATING TO HAWAII CRIMINAL JUSTICE DATA CENTER FEES.

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

SECTION 1. Section 846-10.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(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 services provided or to be provided, which shall be deposited into the criminal history record improvement revolving fund:[+]

(1) For each criminal history record check or criminal history record name inquiry conducted by the data center and other state and county agencies, $20;[

(2) For each criminal history record name inquiry via an electronic database maintained by the data center that is accessible to users through an interactive computer-based system, for which a certified printout is requested, $10 per printout;

(3) For processing of each application for the expungement of arrest records, $25;

ATG-08(19)
(4) For certification of documents, $10 per document;

(5) For each duplicate expungement certificate requested, $15; and

(6) For each complete set of fingerprints taken, $15]."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: 

BY REQUEST
JAN 2 2 2019
Report Title:
Hawaii Criminal Justice Data Center Fees

Description:
Provides authority for the Hawaii Criminal Justice Data Center to set and collect fees for services provided.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.
DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO HAWAII CRIMINAL JUSTICE DATA CENTER FEES.

PURPOSE: To provide authority for the Hawaii criminal justice data center to determine reasonable fees for services provided.

MEANS: Amend section 846-10.5(a), Hawaii Revised Statutes.

JUSTIFICATION: All fees for services provided by the data center are deposited into the Criminal History Record Improvement Revolving Fund, which is used to maintain and improve the statewide criminal history record information systems of the State. The demand for the data center services continues to grow each year, as more agencies and organizations are conducting criminal history record checks on applicants, employees, volunteers, and licensees that are in a position of trust or that provide care for Hawaii's vulnerable population, and more individuals are submitting applications for the expungement of arrest records.

Impact on the public: The data center will be able to set fees based on the demands of its criminal history record information systems. Fees may be reduced or increased as necessary. The public will be able to provide comments during the administrative rules process.

Impact on the department and other agencies: Approval of this bill will have a positive effect on the data center's ability to improve and sustain its identification services to both criminal justice and non-
criminal justice agencies, thereby enhancing public safety.

The statute provides an exemption from the fees for services provided to criminal justice agencies and state or county agencies for employment purposes; as such, no impact is anticipated for other governmental agencies.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: ATG-231/BC.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.