
A BILL FOR AN ACT

RELATING TO FORENSIC IDENTIFICATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 844D-111, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "§844D-111 Refusal or failure to provide specimen for
4 forensic identification. (a) A person commits the offense of
5 refusal or failure to provide specimen for forensic
6 identification if the person is required by this chapter to
7 provide any blood specimens, buccal swab samples, or print
8 impressions and intentionally [e~~æ~~], knowingly, or recklessly,
9 refuses or fails to provide any of the required blood specimens,
10 buccal swab samples, or print impressions after the person has
11 received written notice from the department, the department of
12 public safety, any law enforcement personnel, or officer of the
13 court that the person is required to provide each and every one
14 of the blood specimens, buccal swab samples, and print
15 impressions required by this chapter.
16 (b) [Any] A person who intentionally or knowingly fails to
17 comply with this section shall be guilty of a misdemeanor. A



1 person who [~~negligently or~~] recklessly fails to comply with this
2 section shall be guilty of a petty misdemeanor.

3 (c) For purposes of this section, "intentionally",
4 "knowingly", and "recklessly" shall have the same meanings as in
5 section 702-206."

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 Statutory material to be repealed is bracketed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

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



Report Title:

Crime; Forensic Identification; DNA Testing; Felons

Description:

Clarifies that the penalty for the offense of intentionally or knowingly failing to provide DNA samples is a misdemeanor. Downgrades reckless failure to provide such samples to a petty misdemeanor and deletes negligent failure to provide such samples from the offense. (SB211 HD1)

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