

JAN 21 2016

A BILL FOR AN ACT

RELATING TO CRIMINAL PROCESS.

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

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

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

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

15 SECTION 3. New statutory material is underscored.



S.B. NO. 2108

Report Title:

Honolulu Prosecuting Attorney Package; Criminal Process Records;
Production of Records

Description:

Amends the definition of "criminal process" to include
administrative subpoenas for the purposes of production.

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