

STAND. COM. REP. NO.

3693

Honolulu, Hawaii

APR 06 2018

RE: H.B. No. 2131  
H.D. 1  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 2131, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SEXUAL ASSAULT,"

begs leave to report as follows:

The purpose and intent of this measure is to address the manner in which sexual assault evidence collection kits are processed, stored, and tracked and to ensure that victims of sexual assault are informed of their rights under the law.

Your Committee received written comments in support of this measure from the Department of the Attorney General, Hawai'i State Commission on the Status of Women, Honolulu Police Department, Hawaii Women Lawyers, The Sex Abuse Treatment Center, Community Alliance on Prisons, Joyful Heart Foundation, Planned Parenthood Votes Northwest and Hawaii, Oahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, YWCA Oahu, Hawaii Women's Coalition, and four individuals.

The Department of the Prosecuting Attorney of the City and County of Honolulu submitted written comments on the measure.



Your Committee finds that this measure will help ensure that sexual assault evidence collection kits are tested in a timely manner and thus enhance public safety and hold offenders accountable.

Your Committee has amended this measure by:

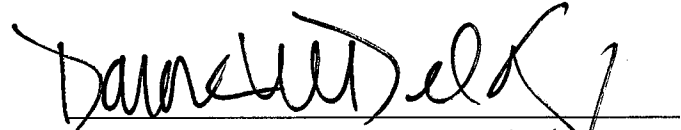
- (1) Defining the term "eligible" with respect to DNA analyses and profiles uploaded or entered into DNA databases;
- (2) Inserting a proviso that acknowledges the Department of the Attorney General will need an additional \$350,743 beyond the amount the Department is currently authorized to expend from the DNA registry special fund in FY 2018-2019;
- (3) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (4) Making technical nonsubstantive changes for the purposes of clarity, consistency, and style.

Your Committee notes that although the measure defines "DNA", the measure references "autosomal DNA". The reason for this distinction is not readily apparent. If the reference to "autosomal" is unnecessary, then for clarity, it may be preferable to delete all references to "autosomal" and amend the definition of "DNA" to provide that the term has the same meaning as in section 844D-1, Hawaii Revised Statutes. Your Committee respectfully requests that this issue be considered as the measure moves forward in the legislative process.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2131, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2131, H.D. 1, S.D. 2.



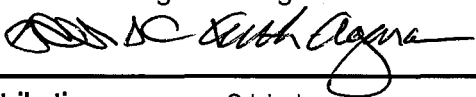
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB2131 HDI SDI	JDC, WAM	4/3/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene				X
INOUYE, Lorraine R.	X			
KAHELE, Kaiali'i	X			
KIDANI, Michelle N.				X
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
<b>TOTAL</b>	9			2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes