
A BILL FOR AN ACT

RELATING TO SEX OFFENDERS.

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

- 1 SECTION 1. Section 846E-1, Hawaii Revised Statutes, is
2 amended by amending the definitions of "aggravated sexual
3 offense" and "sexual offense" to read as follows:
4 "Aggravated sexual offense" means:
5 (1) A criminal offense described in section 707-730(1)(a),
6 707-730(1)(b), 707-730(1)(d), 707-730(1)(e), 707-
7 731(1)(b), 707-732(1)(b), 707-732(1)(f), and 707-
8 733.5, but excludes conduct that is criminal only
9 because of the age of the victim, if the perpetrator
10 is under the age of eighteen;
11 (2) A criminal offense that is comparable to one of the
12 offenses designated in paragraph (1) or any federal,
13 military, or out-of-state offense that, under the laws
14 of this State would be an aggravated sexual offense as
15 designated in paragraph (1); or
16 (3) An act, as described in chapter 705, that is an
17 attempt, criminal solicitation, or criminal conspiracy



1 to commit one of the offenses designated in paragraphs
2 (1) or (2).

3 "Sexual offense" means an offense that is:

4 (1) Set forth in section 707-730(1)(a), 707-730(1)(b),
5 707-730(1)(c), 707-730(1)(d), 707-730(1)(e), 707-
6 731(1)(a), 707-731(1)(b), 707-731(1)(c), 707-
7 732(1)(a), 707-732(1)(b), 707-732(1)(c), 707-
8 732(1)(d), 707-732(1)(e), 707-732(1)(f), 707-
9 733(1)(a), 707-733.5, or 712-1202(1)(b), but excludes
10 conduct that is criminal only because of the age of
11 the victim, as provided in section 707-730(1)(b), or
12 section 707-732(1)(b) if the perpetrator is under the
13 age of eighteen;

14 (2) An act defined in section 707-720 if the charging
15 document for the offense for which there has been a
16 conviction alleged intent to subject the victim to a
17 sexual offense;

18 (3) An act that consists of:

19 (A) Criminal sexual conduct toward a minor;

20 (B) Solicitation of a minor who is less than fourteen
21 years old to engage in sexual conduct;

22 (C) Use of a minor in a sexual performance;



- 1 (D) Production, distribution, or possession of child
- 2 pornography chargeable as a felony under section
- 3 707-750, 707-751, or 707-752;
- 4 (E) Electronic enticement of a child chargeable as a
- 5 felony under section 707-756 or 707-757, if the
- 6 act involves:
- 7 (i) Sexual conduct;
- 8 (ii) Attempted sexual conduct; or
- 9 (iii) A proposal to engage in sexual conduct; or
- 10 (F) Solicitation of a minor to practice prostitution;
- 11 (4) A criminal offense that is comparable to or that
- 12 exceeds a sexual offense as defined in paragraphs (1)
- 13 through (3) or any federal, military, or out-of-state
- 14 conviction for any offense that under the laws of this
- 15 State would be a sexual offense as defined in
- 16 paragraphs (1) through (3); or
- 17 (5) An act, as described in chapter 705, that is an
- 18 attempt, criminal solicitation, or criminal conspiracy
- 19 to commit one of the offenses designated in paragraphs
- 20 (1) through (4)."

21 SECTION 2. Section 846E-3, Hawaii Revised Statutes, is
 22 amended by amending subsection (d) to read as follows:



1 "(d) Public access authorized by this section shall be
2 ~~[accomplished by the following methods:~~
3 ~~(1) Public access to the public information for each~~
4 ~~covered offender subject to subsection (c), paragraphs~~
5 ~~(1) through (4) shall be]~~ provided by both public
6 internet access and on-site public access ~~[or,~~
7 ~~(2) Public access to the public information for each~~
8 ~~covered offender subject to subsection (c), paragraph~~
9 ~~(5) shall be provided by on-site public access];~~
10 provided that on-site public access shall be provided for each
11 covered offender at the Hawaii criminal justice data center and
12 at one or more designated police stations in each county, to be
13 designated by the attorney general, between the hours of 8:00
14 a.m. and 4:30 p.m. on weekdays, excluding holidays."

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.
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Report Title:

Sex Offenders; Registration

Description:

Clarifies the methods of public access to a sex offender's public information. (SD 1)

