



EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

GOV. MSG. NO. **679**

May 30, 2006

The Honorable Robert Bunda, President  
and Members of the Senate  
Twenty-Third State Legislature  
State Capitol, Room 003  
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on May 30, 2006, the following bill was signed into law:

SB2609 SD1 HD1 CD1

A BILL FOR AN ACT RELATING TO  
WRIT OF CERTIORARI.  
(ACT 149)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

on \_\_\_\_\_

THE SENATE  
TWENTY-THIRD LEGISLATURE, 2006  
STATE OF HAWAII

S.B. NO. 2609  
S.D. 1  
H.D. 1  
C.D. 1

## A BILL FOR AN ACT

RELATING TO WRIT OF CERTIORARI.

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

1 SECTION 1. Section 602-59, Hawaii Revised Statutes, is  
2 amended by amending subsections (a), (b), and (c) to read as  
3 follows:

4 "(a) After issuance of the intermediate appellate court's  
5 judgment~~[7]~~ or dismissal order, a party may seek review of the  
6 intermediate appellate court's decision and judgment or  
7 dismissal order only by application to the supreme court for a  
8 writ of certiorari, the acceptance or rejection of which shall  
9 be discretionary upon the supreme court.

10 (b) The application for writ of certiorari shall tersely  
11 state its grounds~~[7]~~, which shall include:

12 (1) Grave errors of law or of fact; or

13 (2) Obvious inconsistencies in the decision of the  
14 intermediate appellate court with that of the supreme  
15 court, federal decisions, or its own decision,

16 and the magnitude of those errors or inconsistencies dictating  
17 the need for further appeal.



1 (c) An application for writ of certiorari may be filed  
2 with the supreme court no later than [~~thirty~~] ninety days after  
3 the filing of the [~~decision~~] judgment or dismissal order of the  
4 intermediate appellate court. Opposition to an application for  
5 a writ of certiorari may be filed no later than fifteen days  
6 after the application is filed. The supreme court shall  
7 determine to accept the application within thirty days after an  
8 objection is or could have been filed. The failure of the  
9 supreme court to accept within thirty days shall constitute a  
10 rejection of the application."

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 Statutory material to be repealed is bracketed  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

13 SECTION 3. This Act shall take effect on the effective  
14 date of sections 1 through 82 of Act 202, Session Laws of Hawaii  
15 2004.



GOVERNOR OF THE STATE OF HAWAII

Approved this day: MAY 30 2006

**THE SENATE OF THE STATE OF HAWAII**

Date: April 24, 2006  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.

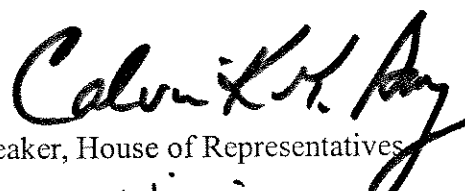

  
President of the Senate

  
Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF HAWAII**

Date: April 24, 2006  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.

  
Speaker, House of Representatives  
  
Clerk, House of Representatives