

S.B. NO. 3109

JAN 22 2008

A BILL FOR AN ACT

RELATING TO THE CORRECTIONAL PROGRAM REVOLVING FUND.

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

1 SECTION 1. Section 353-33, Hawaii Revised Statutes, is
2 repealed.

3 " [~~§353-33~~] ~~Correctional program revolving fund; program~~
4 ~~fees.~~ (a) ~~There is established within the state treasury the~~
5 ~~correctional program revolving fund. This fund shall be expended~~
6 ~~at the discretion of the director for the purpose of offsetting~~
7 ~~the cost of providing programs for inmates.~~

8 ~~(b) The revolving fund shall consist of funds derived from~~
9 ~~fees collected pursuant to subsection (c).~~

10 ~~(c) The director may charge any committed or detained~~
11 ~~person a fee for participation in a correctional program;~~
12 ~~provided that no person shall be denied access to a program~~
13 ~~because of the person's inability to pay the fee. The fee shall~~
14 ~~be reasonably related to the actual cost of providing the~~
15 ~~program, except that the fee may be reduced, in whole or in part,~~
16 ~~at the discretion of the director if the director finds that the~~
17 ~~person is unable to pay the entire fee. All fees collected~~

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1 ~~pursuant to this subsection shall be deposited in the~~
2 ~~correctional program revolving fund.~~

3 ~~(d) The director shall submit an annual report on the~~
4 ~~status of the correctional program revolving fund to the~~
5 ~~legislature at least twenty days prior to the convening of each~~
6 ~~regular session of the legislature. The report shall include but~~
7 ~~not be limited to the following:~~

8 ~~(1) The amount of moneys received and deposited in the~~
9 ~~correctional program revolving fund for the fiscal year~~
10 ~~just ended; and~~

11 ~~(2) Descriptions and amounts of expenditures made from the~~
12 ~~fund, and the balances remaining on June 30 of each~~
13 ~~year.~~


14 ~~The director may include the aforementioned report in its~~
15 ~~annual report to the legislature and the governor.] "~~

16 SECTION 2. Statutory material to be repealed is bracketed
17 and stricken.

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

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INTRODUCED BY:



BY REQUEST

Report Title:

Correctional Program Revolving Fund; repeal

Description:

Deletes the correctional program revolving fund which has never been used by the Department of Public Safety and has no funds in it.

JUSTIFICATION SHEET

SB. NO. 3109

DEPARTMENT: PUBLIC SAFETY

TITLE: A BILL FOR AN ACT RELATING TO THE
CORRECTIONAL PROGRAM REVOLVING FUND.

PURPOSE: To delete the correctional program revolving
fund because the fund has no funds in it and
the department has not used the fund for
several years.

MEANS: Repeal section 353-33, Hawaii Revised
Statutes.

JUSTIFICATION: The Department of Public Safety has not
utilized the correctional program revolving
fund for several years, and there are no
funds within the fund at this time. This is
a revolving fund that requires auditing and
reports but serves no practical purpose.

Impact on the public: There should be no
impact on the public as this measure will
simply delete a revolving fund that has not
been used for years and will not impact the
public.

Impact on the department and other agencies:
This bill should assist both the Department
of Public Safety and state auditors as the
bill deletes a revolving fund that currently
needs to be reviewed and audited but has no
realistic function at this time.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: PSD-420.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.