

Honolulu, Hawaii

Aj 04 , 2008

RE: S.B. No. 1961
S.D. 1
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 1961, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BAIL,"

begs leave to report as follows:

The purpose of this bill is to establish a new part under Chapter 804, Hawaii Revised Statutes (HRS), to provide comprehensive oversight and regulation of bail bond agents. This bill also establishes procedures for the exoneration of bail bond agents and sureties from bond liabilities and enforcement procedures against compensated sureties, bail bond agents, and bail insurance companies.

Several concerned individuals supported this bill. The Attorney General and AAA Local Bail Bonds opposed this bill. The Department of Commerce and Consumer Affairs, Department of the Prosecuting Attorney of the City and County of Honolulu, and a concerned individual submitted comments.

Your Committee has amended this measure by:

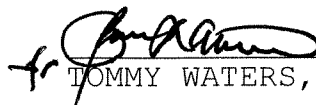
- (1) Clarifying the definition of "depositor of bail" to include stocks or other personal property under the list of items that may secure the release of a person charged with a crime or offense;



- (2) Expanding the Insurance Commissioner's rulemaking authority to include rules necessary to implement the provisions of the entire part added to Chapter 804, HRS;
- (3) Changing its effective date to January 1, 2112; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1961, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1961, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



