

JAN 28 2009

A BILL FOR AN ACT

RELATING TO DISCHARGE OF SURETIES.

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

1 SECTION 1. The purpose of this Act is to improve the
2 process by which principals are surrendered and sureties
3 discharged by eliminating duplicate procedures, requiring
4 documentation of and justification for the discharge of
5 sureties, and preventing misuse.

6 SECTION 2. Section 804-14, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "**§804-14 Discharge of sureties.** (a) Those who may have
9 become bail for anyone, may at any time discharge themselves, by
10 surrendering [~~him~~] the person to the custody of any sheriff [~~or~~
11 ~~chief of police~~] or [~~his~~] the sheriff's authorized subordinate.

12 (b) Upon the discharge of surety, the surety shall prepare
13 a notarized statement setting forth the reasons for the
14 discharge of surety on the principal; the notarized statement
15 shall be filed with the clerk of court prior to surrender of the
16 principal and filed thereafter with the insurance commissioner
17 for the insurance commissioner's review."



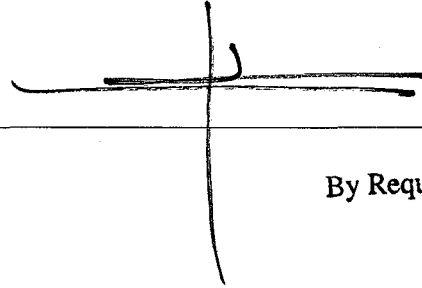
S.B. NO. 1301

1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

4

INTRODUCED BY: _____

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By Request



Report Title:

Bail; Discharge of Sureties

Description:

Requires filing of a notarized statement with the clerk of court and the insurance commissioner setting forth the reason for discharge of the surety and surrender of the principal.

