

JAN 20 2010

A BILL FOR AN ACT

RELATING TO PAROLE.

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

1 SECTION 1. Chapter 353, Hawaii Revised Statutes, is
2 amended by adding two new sections to part II be appropriately
3 designated and to read as follows:

4 "§353-A Parole service fee. (a) This section applies to
5 a committed person who is paroled after confinement in any state
6 correctional facility in execution of any sentence imposed upon
7 the committed person other than when life imprisonment not
8 subject to parole has been imposed.

9 (b) As a condition of parole, the Hawaii paroling
10 authority shall order a committed person to whom subsection (a)
11 applies to pay a parole service fee of \$150; provided that no
12 parole service fee shall be ordered if the Hawaii paroling
13 authority determines that the parolee is unable to pay the
14 parole service fee within months immediately following
15 release on parole.

16 (c) If the parolee was ordered by a court upon sentencing
17 to pay restitution or crime victim compensation that remains



1 unsatisfied at the time of parole, the payment of the parole
2 service fee shall be next-in-line in order of priority after
3 payment of restitution or crime victim compensation.

4 (d) The terms and manner of payment by the parolee shall
5 be at the discretion of the parolee's parole officer.

6 (e) The parole service fee shall be payable to the Hawaii
7 paroling authority for deposit by the Hawaii paroling authority
8 in the following manner:

9 (1) Eighty per cent of the parole service fee shall be
10 deposited into the parole services special fund under
11 section 353-B; and

12 (2) Twenty per cent of the parole service fee shall be
13 deposited into the crime victim compensation special
14 fund under section 351-62.5.

15 (f) This section also applies to an offender, as defined
16 in article II of chapter 353B, who is paroled and is authorized
17 to travel across state lines to and from a compacting state
18 pursuant to chapter 353B, to the extent a service fee or
19 facsimile is allowed under the interstate compact for the
20 supervision of adult offenders; provided that the Hawaii parole
21 service fee, if any, shall be deposited in whole into the parole
22 services special fund under section 353-B.



1 §353-B Parole services special fund. (a) There is
2 established a special fund to be known as the parole services
3 special fund. A portion of the parole service fee as specified
4 in section 353-A shall be deposited into the parole services
5 fund.

6 (b) Moneys in the parole services special fund shall be
7 used by the Hawaii paroling authority to defray expenses in the
8 operation of the parole system in the monitoring of parolees and
9 in enforcing conditions of parole. No moneys in the fund shall
10 be used to pay any salaries under the budget of the Hawaii
11 paroling authority."

12 SECTION 2. Section 351-62.5, Hawaii Revised Statutes, is
13 amended by amending subsection (d) to read as follows:

14 "(d) Funds received pursuant to section 354D-12(b)(1) and
15 amounts received pursuant to sections 351-35, 351-62.6, 351-63,
16 353-A, 706-605, and 853-1 shall be deposited into the crime
17 victim compensation special fund. Moneys received shall be used
18 for compensation payments, operating expenses, salaries of
19 positions as authorized by the legislature, and collection of
20 fees. The commission may enter into memorandums of agreement
21 with the judiciary for the collection of fees by the judiciary;



1 provided that no funds shall be deposited by the judiciary into
2 the crime victim compensation special fund until collected."

3 SECTION 3. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 4. In codifying the new sections added by section
7 1 of this Act, the revisor of statutes shall substitute
8 appropriate section numbers for the letters used in designating
9 the new sections in this Act.

10 SECTION 5. New statutory material is underscored.

11 SECTION 6. This Act shall take effect upon its approval.

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Report Title:

Parole Services Fee

Description:

Establishes a parole service fee to be made a condition of parole by the Hawaii paroling authority. Establishes a parole service special fund. Specifies proportional deposits of the parole service fee into the parole services special fund and the crime victim compensation special fund.

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