

JAN 22 2010

S.B. NO. 2534

A BILL FOR AN ACT

RELATING TO BAIL.

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

1 SECTION 1. Section 804-7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§804-7 Release after bail[-]; procedure when court
4 closed. (a) When bail is offered and taken the prisoner shall
5 be promptly discharged from custody or imprisonment.

6 (b) A law enforcement agency having custody of a person
7 shall accept cash bail and bail bonds when the court with
8 jurisdiction is closed, including nights, weekends, and
9 holidays. The law enforcement agency shall accept:

10 (1) Cash and certified copies of bail bonds pre-filed with
11 the court from any person; and

12 (2) An original bail bond only from a person licensed
13 pursuant to chapter 431 as a bail agent or to sell,
14 solicit, and negotiate surety insurance.

15 (c) A law enforcement agency accepting cash bail or an
16 original bail bond pursuant to subsection (b) shall submit the
17 cash bail or original bail bond to the court with jurisdiction



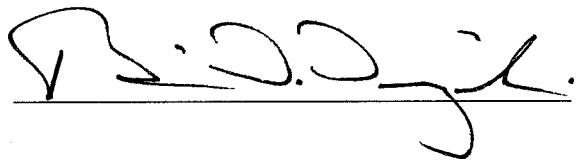
1 no later than 4:00 p.m. on the first business day following
2 acceptance.

3 (d) For purposes of this section, "law enforcement agency"
4 means any agency of the State or a county vested by law with
5 authority to make arrests for criminal offenses, to detain
6 arrested persons pending court action, or to take and keep
7 custody of convicted persons, including the county police
8 departments, the department of the attorney general, and the
9 department of public safety."

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 Statutory material to be repealed is bracketed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

12 SECTION 3. This Act shall take effect on July 1, 2010.

13

INTRODUCED BY: 

Report Title:

Release on Bail; Procedure

Description:

Requires law enforcement agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds when the court is closed, including nights, weekends, and holidays. Specifies from whom bail may be accepted. Requires prompt release after acceptance of bail.

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