

Honolulu, Hawaii
March 19, 2010

RE: S.B. No. 2534
S.D. 2
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2534, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BAIL,"

begs leave to report as follows:

The purpose of this bill is to:

- (1) Require bond filing fees; and
- (2) Require law enforcement agencies to accept cash, surety, and own recognizance bonds when the courts are closed to discharge a prisoner from custody or imprisonment.

A concerned individual supported this bill. The Department of Public Safety opposed this measure. The Office of the Public Defender and the Professional Bail Agents of Hawaii submitted comments.

Your Committee prefers the fees collected under this bill to be deposited directly into the general fund rather than any special fund despite the fact that the purpose of the fees is to offset the operating cost of this measure. Also, the Finance Committee is respectfully requested to look into creating a proper fee structure.



Your Committee has amended this bill by:

- (1) Having the fees deposited into the general fund;
- (2) Changing the effective date to December 21, 2058, to encourage further discussion; and
- (3) Making technical, nonsubstantive changes for clarity, consistency, and style.

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. 2534, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2534, S.D. 2, H.D. 1, and be referred to the Committee on Finance.

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



TOM RIKI KARAMATSU, Chair



