

STAND. COM. REP. NO.

253

Honolulu, Hawaii

Feb 15, 2011

RE: H.B. No. 1070
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1070 entitled:

"A BILL FOR AN ACT RELATING TO CONDITIONAL RELEASE TIMEFRAMES, "

begs leave to report as follows:

The purpose of this bill is to clarify the terms of the conditional release of a defendant charged with a petty misdemeanor, misdemeanor, or violation and who was acquitted on the ground of physical or mental disease, disorder, or defect excluding responsibility by:

- (1) Limiting the period of conditional release to no longer than one year; and
- (2) Requiring that multiple conditional release orders run concurrently.

The Department of Health, Office of the Public Defender, and Hawaii Disability Rights Center submitted testimony in support of this measure. The Department of the Prosecuting Attorney of the City and County of Honolulu opposed this bill.

Your Committee has amended this bill by:

- (1) Deleting the provision requiring that multiple conditional releases run concurrently;

HB1070 HD1 HSCR JUD HMS 2011-1914



- (2) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments 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 H.B. No. 1070, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1070, H.D. 1, and be referred to the Committee on Finance.

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



GILBERT KEITH-AGARAN, Chair



