
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
5 shall be discharged promptly from custody or imprisonment.

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

10 (1) Cash from any person;

11 (2) A certified copy of a bail bond pre-filed with the
12 court from any person; or

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

16 (c) A law enforcement agency accepting cash bail or an
17 original bail bond pursuant to subsection (b) shall submit the
18 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 the
5 authority to arrest persons for criminal offenses, detain
6 arrested persons pending court action, or retain custody of
7 convicted persons, including the county police departments, the
8 department of the attorney general, and the department of public
9 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 Statutory material to be repealed is bracketed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 January 1, 2013,
13 and shall be repealed on January 1, 2016; provided that section
14 804-7, Hawaii Revised Statutes, shall be reenacted in the form
15 in which it read on the day prior to the effective date of this
16 Act.



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. Effective 01/01/13 and repeal on 01/01/16. (CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

