

STAND. COM. REP. NO. 2448

Honolulu, Hawaii

MAR 01 2012

RE: S.B. No. 2158

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2158 entitled:

"A BILL FOR AN ACT RELATING TO BAIL,"

begs leave to report as follows:

The purpose and intent of this measure is to require 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, to facilitate the prompt release of the detainee after bail is accepted.

Your Committee received testimony in support of this measure from the Professional Bail Agents of Hawaii; Da Kine Bail Bonds, Inc.; and one private individual. The Department of Public Safety and the Office of the Public Defender submitted comments.

Your Committee finds that if a person is taken into custody during non-regular business hours, such as during the night, weekend, or holiday, that person is not able to post bail because the courts are closed, even if the person possesses the bail amount at that time. Individuals are required to pay their bail amount at the courts only during regular business hours. Thus, even if a person who is detained Friday night possesses the bail amount on Friday, that person will remain detained until Monday morning, when the court opens. This measure ensures the right to bail at all hours, not just during normal business hours.

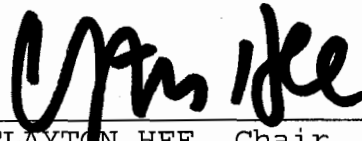
As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report,

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your Committee is in accord with the intent and purpose of S.B. No. 2158 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

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




CLAYTON HEE, Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* SB 2158	Committee Referral: JDL	Date: 2/9/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam	✓			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes