
A BILL FOR AN ACT

RELATING TO COURT ADVISEMENT CONCERNING ALIEN STATUS.

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

1 SECTION 1. Section 802E-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+]§802E-2[+] Court advisement concerning alien status
4 **required.** Prior to [acceptance] a defendant's entry of a plea
5 of guilty or nolo contendere to any offense punishable as a
6 crime under state law, except offenses designated as infractions
7 under state law, the court shall administer [~~the following~~] an
8 advisement on the record to the defendant[+], which shall
9 substantially contain the following information:

10 If you are not a citizen of the United States, you are
11 hereby advised that a plea of guilty or nolo contendere,
12 whether or not deferred by the court, or a conviction of
13 the offense for which you have been charged may have the
14 consequences of deportation, exclusion from admission to
15 the United States, or denial of naturalization pursuant to
16 the laws of the United States.



1 Upon request, the court shall allow the defendant
2 additional time to consider the appropriateness of the plea in
3 light of the advisement as described in this section."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2013.



Report Title:

Judiciary; No Contest Plea; Guilty Plea; Alien; Criminal Defendants

Description:

Requires the court to advise criminal defendants of the effects of a guilty or no contest plea on alien status. Effective July 1, 2013. (HB1059 HD1)

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