

STAND. COM. REP. NO.

555

Honolulu, Hawaii

February 15, 2013

RE: H.B. No. 910  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 910  
entitled:

"A BILL FOR AN ACT RELATING TO FORENSIC MENTAL HEALTH,"

begs leave to report as follows:

The purpose of this measure is to implement statutory changes  
recommended by the Governor's special action team designed to  
reduce the population of the Hawaii State Hospital by:

- (1) Requiring public agencies with a defendant's medical,  
mental health, social, police and juvenile records to  
release information to the court when the defendant is  
ordered to submit to a forensic mental health  
examination in order to expedite the process; and
- (2) Amending penal code provisions to establish limits to  
the length of time an individual may remain on  
conditional relief for certain criminal charges and to  
clarify circumstances under which the conditional  
release may be tolled.

The Department of Health, Hawaii Disability Rights Center,  
Community Alliance for Mental Health, and United Self Help  
supported this measure. The Judiciary supported this measure with  
amendments. The Department of the Prosecuting Attorney of the  
City and County of Honolulu opposed this measure. The Department  
of the Attorney General commented on this measure.

HB910 HD1 HSCR HLT HMS 2013-2118



Your Committee has amended this measure by:

- (1) Clarifying that the tolling provisions apply only to defendants charged with petty misdemeanors, misdemeanors, or violations;
- (2) Specifying that the tolling period shall apply during a period of forensic hospitalization and during the pendency of a motion to revoke conditional release; 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 Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 910, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 910, H.D. 1, and be referred to the Committee on Judiciary.

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

*Allen A. Belatti*

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DELLA AU BELATTI, Chair



