

JAN 18 2013

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# 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 of a plea of guilty or nolo  
5 contendere to any offense punishable as a crime under state law,  
6 except offenses designated as infractions under state law, the  
7 court shall administer ~~[the following]~~ an advisement on the  
8 record to the defendant[+], which shall contain the following  
9 information:

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



# S.B. NO. 443

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 Statutory material to be repealed is bracketed  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.

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INTRODUCED BY: 

**By Request**



# S.B. NO. 443

**Report Title:**

Court Advisement; Alien Status; Guilty Plea; Nolo Contendere;  
Deferred Acceptance

**Description:**

Requires the court advisement to a defendant who is not a citizen of the United States to be expanded to include a guilty plea, nolo contendere plea, deferred acceptance of guilty plea, or deferred acceptance of nolo contendere plea.

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

