

JAN 18 2013

A BILL FOR AN ACT

RELATING TO PAROLE.

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

1 SECTION 1. Section 353-64, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§353-64 Committed persons paroled.** (a) Any committed
4 person confined in any state correctional facility in execution
5 of any sentence imposed upon the committed person, except in
6 cases where the penalty of life imprisonment not subject to
7 parole has been imposed, shall be subject to parole in the
8 manner and form as set forth in this part; provided that the
9 committed person shall be paroled in the county where the
10 committed person had a permanent residence or occupation or
11 employment prior to incarceration, unless:

12 (1) The committed person will reside in a county in which
13 the population exceeds eight-hundred thousand persons;

14 (2) The committed person will be released for immediate
15 departure from the State; or

16 (3) The committed person shall be released to the county
17 in the State in which the committed person has the
18 greatest family or community support, opportunities



1 for employment, job training, education, treatment,
2 and other social services, as determined by the Hawaii
3 paroling authority; provided that to be considered for
4 parole to another county in the State, the committed
5 person shall provide a written request to the
6 department not less than six months prior to the
7 expiration of the committed person's longest minimum
8 sentence.

9 ~~[Provided further that]~~ (b) In addition to the requirements of
10 subsection (a), to be eligible for parole, the committed
11 person~~[, if the person is determined by the department to be~~
12 ~~suitable for participation, must]~~:

13 (1) Must have been a participant in an academic,
14 vocational education, or prison industry program
15 authorized by the department and must have been
16 involved in or completed the program to the
17 satisfaction of the department; ~~[and]~~ provided
18 ~~[further]~~ that ~~[this precondition for parole shall not~~
19 ~~apply if]~~ the committed person is suitable for
20 participation and is in a correctional facility where
21 academic, vocational education, and prison industry
22 programs or facilities are ~~[not]~~ available~~[.];~~ and



1 (2) Shall agree to remit fees for every visit with a
2 parole officer.

3 A grant of parole shall not be subject to acceptance by the
4 committed person.

5 (c) The department shall establish a paroling fee schedule
6 and shall assess and collect the fee from the paroled prisoner
7 upon each scheduled visit. The proceeds of the paroling fee
8 shall be deposited to the credit of the general fund."

9 SECTION 2. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY:

[Handwritten Signature]
by request



S.B. NO. 583

Report Title:

Parole; Mandatory fees

Description:

Makes agreement to pay a fee for visits to a parole officer a condition of eligibility for parole.

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

