

STAND. COM. REP. NO.

848

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 490
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred S.B. No. 490, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MATERIAL WITNESS ORDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to allow the circuit court or family court to issue a material witness order in cases initiated through felony complaint, in addition to indictment or written information.


Your Committee received written comments in support of this measure from the Department of the Prosecuting Attorney of the City and County of Honolulu.

Your Committee finds that a material witness order is a court order that compels a person to appear as a material witness in a pending criminal action to which bail is affixed, to secure that person's attendance in court. Current law relating to material witness orders applies to an indictment or written information filed in circuit court. This measure ensures that both circuit court and family court have the tools necessary to issue a material witness order, regardless of whether the case is initiated through an indictment, written information, or felony complaint.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 490, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,




JILL N. TOKUDA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:	Committee Referral:	Date:		
SB 490, SDI	SDC, WAM	27 Feb 2017		
<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
TOKUDA, Jill N. (C)	/			
DELA CRUZ, Donovan M. (VC)				/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUYE, Lorraine R.	Aye			/
KAHELE, Kaiali'i	/			
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
WAKAI, Glenn				/
TOTAL	8			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes