
A BILL FOR AN ACT

RELATING TO THE OFFICE OF THE PUBLIC DEFENDER.

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

1 SECTION 1. The legislature finds that the office of the
2 public defender provides necessary legal representation to
3 indigent individuals in criminal, involuntary commitment, and
4 family law cases as required by the United States and Hawaii
5 Constitutions, state statutes, and judicial opinions. The
6 legislature further finds that Act 9, Session Laws of
7 Hawaii 2020, defunded six positions in the office of the public
8 defender, and the positions were later abolished.

9 The purpose of this Act is to:

- 10 (1) Fund four deputy public defender III positions; and
11 (2) Require the office of the public defender to assign
12 one deputy public defender II to the family court
13 section.

14 SECTION 2. In accordance with section 9 of article VII of
15 the Hawaii State Constitution and sections 37-91 and 37-93,
16 Hawaii Revised Statutes, the legislature has determined that the
17 appropriations contained in Act 164, Regular Session of 2023,



1 and this Act will cause the state general fund expenditure
 2 ceiling for fiscal year 2024-2025 to be exceeded by
 3 \$ or per cent. This current declaration takes
 4 into account general fund appropriations authorized for fiscal
 5 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
 6 only. The reasons for exceeding the general fund expenditure
 7 ceiling are that:

- 8 (1) The appropriation made in this Act is necessary to
 9 serve the public interest; and
- 10 (2) The appropriation made in this Act meets the needs
 11 addressed by this Act.

12 SECTION 3. There is appropriated out of the general
 13 revenues of the State of Hawaii the sum of \$627,300 or so much
 14 thereof as may be necessary for fiscal year 2024-2025 for four
 15 full-time equivalent (4.0 FTE) deputy public defender III
 16 positions within the office of the public defender (BUF151);
 17 provided that the office of the public defender shall assign one
 18 deputy public defender II to the family court section.

19 The sum appropriated shall be expended by the office of the
 20 public defender for the purposes of this Act.



1 SECTION 4. This Act shall take effect on July 1, 2024.



Report Title:

Office of the Public Defender; Expenditure Ceiling;
Appropriation

Description:

Appropriates moneys for 4.0 FTE deputy public defender III positions within the Office of the Public Defender (BUF151). Requires the Office of the Public Defender to assign one deputy public defender II to the family court section. Declares that the general fund expenditure ceiling is exceeded. (SD1)

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