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# A BILL FOR AN ACT

RELATING TO LEGAL REPRESENTATION.

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

1           SECTION 1. Section 802-1, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) Any indigent person who is:

4           (1) Arrested for, charged with, or convicted of an offense  
5           or offenses punishable by confinement in jail or  
6           prison or for which the person may be or is subject to  
7           the provisions of chapter 571;

8           (2) Threatened by confinement, against the indigent  
9           person's will, in any psychiatric or other mental  
10          institution or facility;

11          ~~[(3) The subject of a petition for assisted community~~  
12          ~~treatment under chapter 334,]~~ or

13          ~~[(4)]~~ (3) The subject of a petition for involuntary medical  
14          treatment under chapter 353,

15 shall be entitled to be represented by a public defender. If,  
16 however, conflicting interests exist, or if the public defender



1 for any other reason is unable to act, or if the interests of  
2 justice require, the court may appoint other counsel."

3 SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten Signature]*

JAN 23 2024



# H.B. NO. 2521

**Report Title:**

Public Defender; Hawaii Paroling Authority; Legal Representation

**Description:**

Repeals paragraph (3) of section 802-1(a), Hawaii Revised Statutes, which entitles the subject of a petition for assisted community treatment to legal representation by a public defender.

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

