

JAN 15 2025

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# A BILL FOR AN ACT

RELATING TO THE EXAMINATION OF CRIMINAL DEFENDANTS.

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

1           SECTION 1. Section 704-404, Hawaii Revised Statutes, is  
2 amended by amending subsection (11) to read as follows:

3           "(11) The compensation of persons making or assisting in  
4 the examination, other than those retained by a nonindigent  
5 defendant, who are not undertaking the examination upon  
6 designation by the director of health as part of their normal  
7 duties as employees of the State or a county, shall be paid by  
8 the ~~[State.]~~ judiciary in the amount of \$2,000, which amount  
9 includes compensation for the examination, the drafting of the  
10 report, and any consultation, preparation, testimony, and  
11 attendance in court."

12           SECTION 2. Section 704-407.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (12) to read as follows:

14           "(12) The compensation of persons making or assisting in  
15 the examination, other than those retained by a nonindigent  
16 defendant, who are not undertaking the examination upon  
17 designation by the director of health as part of their normal



1 duties as employees of the State or a county, shall be paid by  
 2 the [~~State.~~] judiciary in the amount of \$2,000, which amount  
 3 includes compensation for the examination, the drafting of the  
 4 report, and any consultation, preparation, testimony, and  
 5 attendance in court."

6 SECTION 3. There is appropriated out of the general  
 7 revenues of the State of Hawaii the sum of \$975,000 or so much  
 8 thereof as may be necessary for fiscal year 2025-2026 and the  
 9 same sum or so much thereof as may be necessary for fiscal year  
 10 2026-2027 to carry out the purposes of this Act.

11 The sums appropriated shall be expended by the judiciary  
 12 for the purposes of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed  
 14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY:   
 By Request



# S.B. NO. 264

**Report Title:**

Judiciary Package; Penal Responsibility; Fitness to Proceed;  
Private Examiner Compensation; Appropriation

**Description:**

Establishes the amount of compensation for private-sector examiners who evaluate a criminal defendant's penal responsibility or fitness to proceed in a legal case. Appropriates moneys.

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

