

**ACT 181**

H.B. NO. 2981

A Bill for an Act Relating to the Setting of Bail.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 804-5, Hawaii Revised Statutes, is amended to read as follows:

**“§804-5 By whom allowed.** In cases where the punishment for the

## ACT 181

offense charged may be imprisonment for life not subject to parole, or imprisonment for a term more than ten years with or without fine, a judge or justice of a court of record, [[other than] including a district judge,[]] shall be competent to admit the accused to bail, in conformity with sections 804-3 to 6. In all other cases the accused may be so admitted to bail by any judge or justice of a court of record, [[]including a district judge,[]] and in cases where the punishment for the offense charged may not exceed two years' imprisonment with or without fine, the sheriff, the sheriff's deputy, the chief of police or any person named by the chief of police, or the sheriff of Kalawao, regardless of the circuit within which the alleged offense was committed, may admit the accused person to bail."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved June 21, 1994.)