

ACT 28

S.B. NO. 2581

A Bill for an Act Relating to the Backlog in Unserved Arrest Warrants.

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

SECTION 1. Section 803-1, Hawaii Revised Statutes, is amended to read as follows:

**“§803-1 Arrest; by warrant.** (a) No arrest of any person shall be made without first obtaining a warrant or other process therefor from some magistrate, except in the cases provided in this chapter or otherwise provided by law.

(b) Arrest warrants may be served by any county police officer or public safety officer with police powers appointed pursuant to section 353C-4.

(c) The attorney general shall adopt rules pursuant to chapter 91 by which persons retired from a position described in subsection (b) may be authorized to serve arrest warrants issued due to the defendant’s nonappearance, noncompliance with the terms and conditions of sentencing, or for violation of any order entered in a case arising from an offense that is a violation or for which no imprisonment is otherwise authorized.”

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval; provided that it shall be repealed on July 1, 2011; provided section 803-1 shall be reenacted in the form in which it read on the day before the effective date of this Act.

(Became law on April 25, 2006, without the Governor’s signature, pursuant to Art. III, §16, State Constitution.)