

ACT 59

H.B. NO. 1983

A Bill for an Act Relating to the Judiciary.

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

SECTION 1. Chapter 601, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§601- Civil defense emergency period; suspension of deadlines. (a) During a period of civil defense emergency proclaimed by the governor under section 128-7, the chief justice shall be authorized to order the suspension, tolling, extension, or granting of relief from deadlines, time schedules, or filing requirements imposed by otherwise applicable statutes, rules, or court orders, in civil or

criminal cases or administrative matters, in any judicial circuit affected by the governor's proclamation. The chief justice shall determine the judicial circuits so affected.

(b) The order shall be limited to an initial duration of not more than thirty days; provided that the order may be modified or extended for such period of time as the chief justice deems necessary due to an ongoing civil defense emergency.

(c) The chief justice shall give notice of the order to all affected parties, counsel for the affected parties, and the public. Notice shall be provided by whatever means are reasonably calculated, in the chief justice's sole discretion, to reach the affected parties, counsel for the affected parties, and the public.

(d) Any person whose rights or interests are adversely affected by the chief justice's order shall be entitled to an appeal. The notice of appeal shall be filed not later than forty-five days after the expiration of the chief justice's order or any modification or extension of that order. The notice shall be filed with the clerk of the circuit court having jurisdiction over the person.''

SECTION 2. New statutory material is underscored.¹

SECTION 3. This Act shall take effect on July 1, 2006.

(Approved May 1, 2006.)

Note

1. Edited pursuant to HRS §23G-16.5.