

ACT 112

H.B. NO. 903

A Bill for an Act Relating to the Judiciary.

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

SECTION 1. The legislature finds that the imposition of excessive fines and fees has dire consequences for low-income individuals. Under Hawaii law, individuals who cannot afford to pay court-ordered fines or fees may have their driver's licenses suspended for failure to pay. For many individuals, especially those living in more remote areas with minimal or no public transportation, driver's license suspensions may deprive individuals of their only means of transportation to and from work. Furthermore, individuals with suspended driver's licenses who are unable to find alternative means of transportation may lose their employment. With limited or no income, individuals are even less likely to pay fines or fees, which may lead to greater penalties simply because those individuals are unable to pay initial fines or fees in one lump sum.

The purpose of this Act is to address the financial disparity imposed on low-income individuals who cannot afford to pay court-ordered fines and fees by requiring the judiciary to establish a financial hardship task force.

SECTION 2. (a) There is established within the judiciary the financial hardship task force to:

- (1) Examine the financial disparity imposed on low-income individuals in the court system;
 - (2) Analyze other mechanisms regarding the nonpayment of fines rather than suspending driver's licenses;
 - (3) Coordinate with applicable agencies; and
 - (4) Analyze any other programs deemed necessary.
- (b) The task force shall be composed of the following members or their designees:

- (1) The chief justice, who shall serve as chair;
 - (2) The attorney general;
 - (3) The director of public safety;
 - (4) The director of transportation; and
 - (5) The chief of police of each county.
- (c) Members of the task force shall serve without compensation but shall be reimbursed for expenses incurred, including travel expenses, necessary for the performance of their duties.
- (d) The task force shall be exempt from chapter 92, Hawaii Revised Statutes.
- (e) The task force shall submit a report to the legislature of its findings and recommendations, including any proposed legislation, no later than twenty days before the convening of the regular session of 2020.
- (f) The task force shall cease to exist on June 30, 2020.

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

(Approved June 21, 2019.)