

ACT 248

S.B. NO. 813

A Bill for an Act Relating to Court Interpreters.

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

SECTION 1. In accordance with section 9 of article VII of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1,¹ and this Act will cause the state general fund expenditure ceiling for fiscal year 2023-2024 to be exceeded by \$1,063,787,367 or 11.0 per cent. This current declaration takes into account general fund appropriations authorized for fiscal year 2023-2024 in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1,¹ and this Act only. The reasons for exceeding the general fund expenditure ceiling are that:

- (1) The appropriation made in this Act is necessary to serve the public interest; and
- (2) The appropriation made in this Act meets the needs addressed by this Act.

SECTION 2. The legislature finds that court interpreters are independent contractors of the judiciary who play an integral role in the administration of justice in the State. Hawaii has one of the largest populations of non-English speakers in the nation. The legislature further finds that court interpreters are often required to drive, sometimes for hours, to distant courthouses to provide interpretation services that are critical for a defendant with limited English proficiency to exercise the defendant's constitutional and statutory right to self-representation in court or assist counsel.

The legislature finds, however, that despite the substantial increase in the cost of living in Hawaii over the years, including considerable increases in the prices of automobiles and gasoline, the compensation for court interpreters has remained largely unchanged since it was established in 2007.

Accordingly, the purpose of this Act is to require the judiciary to conduct a study of interpreter fees and submit its findings and recommendations to the chief justice beginning in 2026 and every three years thereafter.

SECTION 3. Chapter 606, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§606- Study for annual adjustments of fees for interpreters. Beginning in 2026 and every three years thereafter, the judiciary shall conduct a study of interpreter fees, including recommendations on adjustments to the fee rates, and submit its findings and recommendations to the chief justice for consideration.”

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$20,000 or so much thereof as may be necessary for fiscal year 2023-2024 to fund the study for annual adjustments of fees for interpreters pursuant to this Act.

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The sum appropriated shall be expended by the judiciary for the purposes of this Act.

²SECTION 5. This Act shall take effect on July 1, 2023.

(Approved July 7, 2023.)

Notes

1. Act 164.
2. No Ramseyer section.