
A BILL FOR AN ACT

RELATING TO SENTENCING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Chapter 706, Hawaii Revised Statutes, is
2 amended by adding to part I a new section to be appropriately
3 designated and to read as follows:

4 "§706- Presentence mental and medical examination. (1)

5 Before imposing sentence, the court may order a defendant who
6 has been convicted of a felony or misdemeanor to submit to
7 mental or other medical observation and examination for a period
8 not exceeding sixty days or a longer period, not to exceed the
9 length of permissible imprisonment, as the court determines to
10 be necessary for the purpose. In addition thereto or in the
11 alternative, the court may appoint one or more qualified
12 psychiatrists, physicians, or licensed psychologists to make the
13 examination. The examiner or examiners shall be appointed from
14 a list of certified examiners as determined by the state
15 department of health. The report of the examination shall be
16 submitted to the court.

17 (2) As used in this section, unless the context otherwise
18 requires:



1 "Conviction" means that a verdict has been rendered by a
2 judge or jury, or a plea of guilty or nolo contendere has been
3 accepted by the court.

4 "Licensed psychologist" means a psychologist licensed under
5 chapter 465, but also includes psychologists exempt from
6 licensure under section 465-3(a)(3)."

7 SECTION 2. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on January 1, 2112.



Report Title:

Examinations of Defendants

Description:

Restores the court's authority to order a mental or medical examination of a defendant before sentencing. (HB1260 HD1)

