
A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. Article VIII, section 2, of the Hawaii
2 constitution states, in relevant part, that "[E]ach political
3 subdivision shall have the power to frame and adopt a charter
4 for its own self-government within such limits and under such
5 procedures as may be provided by general law. . . . Charter
6 provisions with respect to a political subdivision's executive,
7 legislative and administrative structure and organization shall
8 be superior to statutory provisions, subject to the authority of
9 the legislature to enact general laws allocating and
10 reallocating powers and functions."

11 The purpose of this Act is to authorize the counties to
12 appoint and remove their respective county police chiefs
13 pursuant to the county's charter. The legislature finds that
14 the grant of such authority is within the purview of the
15 counties' executive and administrative structure and
16 organization, and is therefore supported by and consistent with
17 the principle of county self-governance established in article
18 VIII, section 2, of the Hawaii constitution.



1 SECTION 2. Section 52D-2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~§~~52D-2~~§~~] **Chief of police.** [~~The police commission~~
4 ~~shall appoint a chief of police.~~] A chief of police shall be
5 appointed and may be removed as prescribed by the charter of
6 each county. The chief of police shall annually make a report
7 to the police commission on the state of affairs and condition
8 of the police department."

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

12



Report Title:

Counties; Chief of Police

Description:

Requires that county police chiefs be appointed and removed as prescribed by each county's charter. (SD1)

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