

Honolulu, Hawaii

MAR 02 2010

RE: S.B. No. 2534
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2534, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BAIL,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require payment of a bail bond filing fee;
- (2) Require that the release of a prisoner upon acceptance of bail is prompt; and
- (3) Require law enforcement agencies to accept cash bail, certified copies of pre-filed bail bonds, and original bail bonds when the court of jurisdiction is closed, including during nights, weekends, and holidays.

Written comments in support of this measure were submitted by one private organization. Written comments in opposition to this measure were submitted by one state agency. Written comments presented to the Committee may be reviewed on the Legislature's website.

Due to fiscal constraints, all state courts and most administrative operations of the Hawaii State Judiciary were closed for two days each month beginning in November of 2009. Your Committee finds that the additional days of closure of courts impose a hardship on prisoners to post bail. This measure will



provide an additional means for prisoners to post bail, facilitating a more appropriate, prompt release of prisoners.

Your Committee has amended this measure by making technical, nonsubstantive changes for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2534, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2534, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2534, SD 1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">PSM, JGO</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/23/10</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	4	—	1	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.2em; font-family: cursive; text-align: center;">Clarence K. Nishihara</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes