
A BILL FOR AN ACT

RELATING TO ACCUSED TO TRANSPORT WITNESS OR WITNESSES.

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

1 SECTION 1. Chapter 571, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§571- Accused to transport witness or witnesses. (a)
5 In any criminal matter triable in the family court, the court
6 may require the accused to transport a witness or witnesses,
7 including a complaining witness or witnesses, to any court
8 proceeding, whenever the following conditions are met:

9 (1) The accused agrees to transport the witness or
10 witnesses to court; and

11 (2) The prosecution has made a showing that each witness
12 has information material to the determination of a
13 fact at issue and is a minor, elderly person, or
14 incapacitated person who:

15 (A) Is residing or believed to be residing at the
16 same address or residential unit as the accused,
17 and the prosecution's reasonable and diligent
18 efforts to obtain the attendance of the witness



1 or witnesses in court through service of process
2 have been unsuccessful; or

3 (B) Is under the sole physical or legal custody of
4 the accused.

5 (b) As used in this section:

6 "Elderly person" means a person sixty years of age or over.

7 "Incapacitated person" means a person who is physically or
8 mentally incapable of transporting himself or herself to court."

9 SECTION 2. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Accused to Transport Witness or Witnesses; Prosecuting
Attorney's Package

Description:

Allows family courts to require the accused to transport certain
witnesses to any family court proceeding under certain
conditions. Effective 07/01/50. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

