

JAN 23 2015

A BILL FOR AN ACT

RELATING TO CRIME VICTIM COMPENSATION.

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

1 SECTION 1. The purpose of this Act is to ensure adequate
2 funding of the crime victims compensation fund by removing the
3 court's option to waive the crime victim compensation fee by
4 finding the defendant unable to pay.

5 SECTION 2. Section 351-62.6, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "(a) The court shall impose a compensation fee upon every
8 defendant who has been convicted or who has entered a plea under
9 section 853-1 [~~and who is or will be able to pay the~~
10 ~~compensation fee~~]. The amount of the compensation fee shall be
11 commensurate with the seriousness of the offense as follows:

12 (1) Not less than \$105 nor more than \$505 for a felony;

13 (2) \$55 for a misdemeanor; and

14 (3) \$30 for a petty misdemeanor.

15 The compensation fee shall be separate from any fine that may be
16 imposed under section 706-640 and shall be in addition to any
17 other disposition under this chapter[~~; provided that the court~~



1 ~~shall waive the imposition of a compensation fee if the~~
2 ~~defendant is unable to pay the compensation fee]~~. Moneys from
3 the compensation fees shall be deposited into the crime victim
4 compensation special fund under section 351-62.5."

5 SECTION 3. Statutory material to be repealed is bracketed
6 and stricken.

7 SECTION 4. This Act shall take effect upon its approval.
8

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S.B. NO. 316

Report Title:

Crime Victim Compensation; Mandatory Fee

Description:

Removes the provision allowing criminal courts to waive the crime victim compensation fee upon a finding that the defendant is unable to pay.

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