

JAN 19 2018

A BILL FOR AN ACT

RELATING TO VICTIM RIGHTS.

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

1 SECTION 1. Section 801D-5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[f]~~ §801D-5 ~~[f]~~ Responsibility for rights and services.

4 (a) Each county is responsible for the enforcement of rights
5 under section 801D-4. The courts shall fashion all decisions
6 and orders to enhance the recognition of these rights and the
7 provision of these services, to the extent that they will not
8 conflict with the constitutional rights of the defendant.

9 (b) ~~[Neither the]~~ Except as provided in section 801D-
10 4(7)(e), failure of any state or county officer or employee to
11 carry out the requirements of this ~~[section nor compliance]~~
12 chapter or failure to comply with ~~[it shall]~~ any of its
13 provisions may subject the state or county officer or employee
14 to liability in any civil action. ~~[However, such failure]~~ The
15 failure may also provide a basis for ~~[such]~~ disciplinary action
16 as may be deemed appropriate by competent authority."



S.B. NO. 2189

1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect upon its approval.
4

INTRODUCED BY: _____

M. J. M.
By Request



S.B. NO. 2189

Report Title:

Maui County Package; Victim Rights; Public Officers and Employees; Liability

Description:

Provides that failure of state and county officers and employees to carry out or comply with chapter 801D, HRS, may subject them to civil liability, with certain exceptions.

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