



**GOV. MSG. NO. 1102**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

March 28, 2022

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Thirty-First State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirty-First State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on Mar 28, the following bill was signed into law:

HB1541

RELATING TO CRIMINAL COMPLAINTS.  
**ACT 002**

Sincerely,

A handwritten signature in black ink that reads "David Y. Ige".

DAVID Y. IGE  
Governor, State of Hawai'i

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## A BILL FOR AN ACT

RELATING TO CRIMINAL COMPLAINTS.

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

1 SECTION 1. Section 805-1, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~§805-1~~ **Complaint; form of warrant.** When a complaint is  
4 made to any prosecuting officer of the commission of any  
5 offense, the prosecuting officer shall ~~[examine]~~ review the  
6 ~~[complainant, shall]~~ evidence, reduce the substance of the  
7 complaint to writing, and ~~[shall]~~ cause the complaint to be  
8 ~~[subscribed]~~ :

9 (1) Subscribed by the complainant under oath, which the  
10 prosecuting officer is hereby authorized to  
11 administer ~~[, or the complaint shall be made];~~

12 (2) Made by declaration in accordance with the rules of  
13 court ~~[,];~~ or

14 (3) Signed by the prosecuting officer.

15 If the original complaint results from the issuance of a  
16 traffic summons or a citation in lieu of an arrest pursuant to  
17 section 803-6, by a police officer, the oath may be administered



1 by any police officer whose name has been submitted to the  
2 prosecuting officer and who has been designated by the chief of  
3 police to administer the oath, or the complaint may be submitted  
4 by declaration in accordance with the rules of court. Upon  
5 presentation of the written complaint to the judge in whose  
6 circuit the offense allegedly has been committed, the judge  
7 shall issue a warrant, reciting the complaint and requiring the  
8 sheriff, or other officer to whom it is directed, except as  
9 provided in section 805-3, to arrest the accused and to bring  
10 the accused before the judge to be dealt with according to law;  
11 and in the same warrant the judge may require the officer to  
12 summon such witnesses as are named in the warrant to appear and  
13 give evidence at the trial. The warrant may be in the form  
14 established by the usage and practice of the issuing court."

15 SECTION 2. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18 SECTION 3. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.



# H.B. NO. 1541

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

2

INTRODUCED BY:



By Request

JAN 19 2022

APPROVED this 28 day of March , 2022



GOVERNOR OF THE STATE OF HAWAII



HB No. 1541

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: March 4, 2022  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives

THE SENATE OF THE STATE OF HAWAII

Date: **MAR 21 2022**  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Ronald D. Kouchi  
President of the Senate



Carol T. Taniguchi  
Clerk of the Senate