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# A BILL FOR AN ACT

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RELATING TO THE EXAMINATION OF CRIMINAL DEFENDANTS.

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

1       SECTION 1. Section 704-404, Hawaii Revised Statutes, is  
2 amended by amending subsection (11) to read as follows:

3       "(11) The compensation of persons making or assisting in  
4 the examination, other than those retained by a nonindigent  
5 defendant, who are not undertaking the examination upon  
6 designation by the director of health as part of their normal  
7 duties as employees of the State or a county, shall be paid by  
8 the ~~[State-]~~ judiciary in the amount of \$2,000, which amount  
9 includes compensation for the examination, the drafting of the  
10 report, and any consultation, preparation, testimony, and  
11 attendance in court."

12       SECTION 2. Section 704-407.5, Hawaii Revised Statutes, is  
13 amended by amending subsection (12) to read as follows:

14       "(12) The compensation of persons making or assisting in  
15 the examination, other than those retained by a nonindigent  
16 defendant, who are not undertaking the examination upon  
17 designation by the director of health as part of their normal



1 duties as employees of the State or a county, shall be paid by  
2 the ~~[State-]~~ judiciary in the amount of \$2,000, which amount  
3 includes compensation for the examination, the drafting of the  
4 report, and any consultation, preparation, testimony, and  
5 attendance in court."

6 SECTION 3. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$ or so  
8 much thereof as may be necessary for fiscal year 2025-2026 and  
9 the same sum or so much thereof as may be necessary for fiscal  
10 year 2026-2027 to carry out the purposes of this Act.

11 The sums appropriated shall be expended by the judiciary  
12 for the purposes of this Act.

13 SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on April 23, 2057.



**Report Title:**

Judiciary Package; Penal Responsibility; Fitness to Proceed;  
Private Examiner Compensation; Appropriations

**Description:**

Establishes the amount of compensation for private-sector  
examiners who evaluate a criminal defendant's penal  
responsibility or fitness to proceed in a legal case.  
Appropriates funds. Effective 4/23/2057. (SD1)

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

