

ACT 161

S. B. NO. 327

A Bill for an Act Relating to the Payment of Physician's Fees for Indigent Defendants in Criminal Cases.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Whenever any person charged with a criminal offense intends to defend against the charge that he was or is insane and therefore not criminally responsible, or that his mind was affected by mental derangement to such an extent he was not culpable of the offense charged or an included offense, and such person is without means or resources to obtain the services of a physician to examine him and testify in his behalf at his trial, the court may appoint a physician of the defendant's choice for such purposes, provided the physician agrees, and shall direct the payment to the physician of a reasonable fee for his services, to be paid from court funds. The defendant or his attorney shall satisfy the court by affidavit or otherwise that the defendant is without

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means or resources and the appointment of a physician is reasonably necessary for the defense to the charge.

SECTION 2. This Act shall take effect upon its approval.
(Approved June 23, 1970.)