

ACT 151

H. B. NO. 148

A Bill for an Act Relating to Competency of Spouses as Witness and Amending Section 621-18 of the Hawaii Revised Statutes.

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

SECTION 1. Section 621-18 of the Hawaii Revised Statutes is hereby amended to read as follows:

“Section 621-18. Witness in criminal cases. Nothing herein shall render any person who in any criminal proceeding is charged with the commission of any indictable offense, or any offense punishable on summary conviction, compellable to be a witness against himself; or, except as hereinafter mentioned, shall render any person compellable to answer any question tending to incriminate himself, or shall in any criminal proceeding render any husband competent or compellable to give evidence against his wife, or any wife competent or compellable to give evidence against her husband, except in such cases where the evidence may now be given and in such cases in which the accused is charged with the commission of an offense against the person of his wife or of her husband or of the children of either party to the marriage provided that in all criminal proceedings the husband or wife of the party accused shall be a competent witness for the defense.”

SECTION 2. Material to be repealed is bracketed. New material is

ACT 151

underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

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

(Approved May 30, 1971.)

*Edited accordingly.