

ACT 155

S.B. NO. 393

A Bill for an Act Relating to Criminal Procedure: Deferred Acceptance of Guilty Plea.

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

SECTION 1. Section 853-1, Hawaii Revised Statutes, is amended by amending subsection (e) to read:

“(e) Upon discharge of the defendant and dismissal of the charge against him

under this section, the defendant may apply for expungement not less than one year following discharge, pursuant to section 831-3.2.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.*

SECTION 3. This Act shall take effect upon approval, however, all misdemeanor records preserved at any police department pursuant to section 853-1(e), Hawaii Revised Statutes, shall be transmitted to the office of the attorney general and shall be expunged pursuant to the provisions of section 831-3.2, Hawaii Revised Statutes.

(Approved June 4, 1979.)

*The text has been edited pursuant to HRS §23G-16.5, authorizing omission of the brackets, bracketed material, and underscoring.