

A Bill for an Act Relating to Witnesses.

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

SECTION 1. Section 836-3, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 836-3 Witness from another state summoned to testify in this State.

If a person in any state, which by its laws has made provision for commanding persons within its borders to attend and testify in criminal prosecutions, or grand jury investigations commenced or about to commence in this State, is a material witness in a prosecution pending in a court of record in this State, or in a grand jury investigation which has commenced or is about to commence, a judge of such court may issue a certificate under the seal of the court stating these facts and specifying the number of days the witness will be required. [Said] The certificate may include a recommendation that the witness be taken into immediate custody and delivered to an officer of this State to assure his attendance in this State. This certificate shall be presented to a judge of a court of record in the judicial district in which the witness is found.

If the witness is summoned to attend and testify in this State he shall be tendered a sum equivalent to the cost of round-trip air fare to the place where the prosecution is pending and [\$30] \$60 for each day that he is required to travel and attend as a witness. A witness who has appeared in accordance with the provisions of the summons shall not be required to remain within this State a longer period of time than the period mentioned in the certificate, unless otherwise ordered by the court. If such witness, after coming into this State, fails without good cause to attend and testify as directed in the summons, he shall be punished in the manner provided for the punishment of any witness who disobeys a summons issued from a court of record in this State.”

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 Statutory material to be repealed is bracketed.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

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

(Approved June 18, 1980.)