

ACT 50

S.B. NO. 2277-80

A Bill for an Act Relating to the Judiciary.

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

SECTION 1. The purpose of this Act is to amend the Hawaii Revised Statutes

to make approved credit cards acceptable instead of cash, in payment of all court charges. This Act amends section 476-1, Hawaii Revised Statutes, to define these charges as services for purposes of the Retail Installment Sales Act. Section 706-642, Hawaii Revised Statutes, pertaining to fines and section 804-1, Hawaii Revised Statutes, pertaining to bail are amended to include approved credit cards as acceptable means of payment for these services.

SECTION 2. Section 476-1, Hawaii Revised Statutes, is amended by amending the definition of "services" to read:

"Services" means work, labor, or services of any kind whether purchased primarily for personal, family, household, commercial, or business use, and whether or not furnished in connection with the delivery, installation, servicing, repair, or improvement of goods, and includes repairs, alterations, or improvements upon or in connection with real property. "Services" also means fees, costs, fines, bails, or other charges assessed, accepted, or collected by court."

SECTION 3. Section 706-642, Hawaii Revised Statutes, is amended to read as follows:

"Sec. 706-642 Time and method of payment. (1) When a defendant is sentenced to pay a fine, the court may grant permission for the payment to be made within a specified period of time or in specified installments. If no such permission is embodied in the sentence, the fine shall be payable forthwith by cash, check, or by a credit card approved by the court.

(2) When a defendant sentenced to pay a fine is also sentenced to probation, the court may make the payment of the fine a condition of probation."

SECTION 4. Section 804-1, Hawaii Revised Statutes, is amended to read as follows:

"Sec. 804-1 Bail defined. Bail, or the giving of bail, is the signing of the recognizance by the person and his surety or sureties, conditioned for the appearance of the prisoner at the session of a court of competent jurisdiction to be named in the condition, and to abide the judgment of the court. It is provided, that the prisoner, or any person in his behalf, at any time after the amount of the bail has been fixed by competent authority, instead of giving bail with sureties as above provided, may deposit with the clerk of the court, or with such other authority having jurisdiction to fix the amount of the bail as in this chapter provided, an amount of money or credit card authorization equal to the amount of bail fixed by such authority. The sum of money so deposited shall be held and dealt with, by the court having jurisdiction thereof, as security for the appearance of the prisoner for trial in the same manner as though the prisoner had entered into a recognizance for his appearance as in this chapter provided."

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.*

SECTION 6. This Act shall take effect upon its approval.

(Approved April 25, 1980.)

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