

ACT 97

H.B. NO. 1025

A Bill for an Act Relating to Bail.

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

SECTION 1. Section 804-3, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Any person charged with a criminal offense shall be bailable by sufficient sureties; provided that no bail shall be allowed where the charge is for a serious crime where the proof is evident and the presumption great, and

- (1) The offense is punishable by imprisonment for life not subject to parole;
or
- (2) The defendant has been previously convicted of a serious crime within the ten-year period immediately preceding the date of the charge against him;
or
- (3) The defendant is already on bail on a felony charge; or
- (4) The defendant is on parole.”

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 Statutory material to be repealed is bracketed.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 2, 1981.)

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