

ACT 226

S.B. NO. 1158

A Bill for an Act Relating to Counsel and Other Services for Indigent Criminal Defendants.

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

SECTION 1. Section 802-11, Hawaii Revised Statutes, is amended to read as follows:

**“§802-11 Appointment of state public defender.** The state public defender shall be appointed by the defender council without regard to chapters 76, 77, and 89. The state public defender’s appointment shall be for a term of four years except as otherwise provided herein, and until the state public defender’s successor is appointed and qualified. The state public defender shall be qualified to practice law before the supreme court of this State. Effective January 1, [1986,] 1987, the salary of the state public defender shall be [\$55,404] \$61,560 a year. The state public defender shall devote full time to the performance of the state public defender’s duties and shall not engage in the general practice of law.”

**SECTION 2.** There is appropriated out of the general revenues of the State of Hawaii the sums of \$3,078 for fiscal year 1986-87, \$6,156 for fiscal year 1987-88, and \$6,156 for fiscal year 1988-89, or so much thereof as may be necessary to provide the salary increase and retroactive salary payment for the state public defender whose salary is increased under this Act. The sum appropriated shall be expended by the department of budget and finance.

**SECTION 3.** Statutory material to be repealed is bracketed. New statutory material is underscored.

**SECTION 4.** This Act, upon its approval, shall be retroactive to January 1, 1987.

(Approved June 23, 1987.)