

ACT 53

S.B. NO. 268

A Bill for an Act Relating to the Transfer of Offenders Under Treaty.

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

SECTION 1. Chapter 353, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§353- Transfer of offenders under treaty; authority of governor. (a)** If a treaty in effect between the United States and a foreign country provides for the transfer or exchange of convicted offenders to the country of which they are citizens or nationals, the governor may, on behalf of the State and subject to the terms of the treaty, authorize the director of social services to consent to the transfer or exchange of offenders and take any other action necessary to initiate the participation of this State in the treaty.

(b) The transfer shall occur only if the receiving foreign country is on an approved list published by Amnesty International concerning that country's treatment of prisoners at the time of transfer. If the receiving country is not on an approved list as noted, the prisoner must consent to his transfer to the receiving foreign country.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

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

(Approved May 29, 1987.)

**Note**

1. Edited pursuant to HRS §23G-16.5.