

ACT 179

S.B. NO. 2575

A Bill for an Act Relating to Arrests.

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

SECTION 1. Section 803-6, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) In any case in which it is lawful for a police officer to arrest a person

without a warrant for a misdemeanor, petty misdemeanor or violation, the police officer may, but need not, issue a citation in lieu of the requirements of (a), if the police officer finds and is reasonably satisfied that the person:

- [(1) Is a resident of the State of Hawaii;
- (2)] (1) Will appear in court at the time designated;
- [(3)] (2) Has no outstanding arrest warrants which would justify the person's detention or give indication that the person might fail to appear in court; and
- [(4)] (3) That the offense is of such nature that there will be no further police contact on or about the date in question, or in the immediate future."

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 Statutory material to be repealed is bracketed.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

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

(Approved June 7, 1988.)