

## ACT 117

S.B. NO. 1176

A Bill for an Act Relating to the Hawaii Paroling Authority.

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

SECTION 1. Section 353-61, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Members of the paroling authority shall be nominated by a panel composed of the chief justice of the Hawaii supreme court[;] or the chief justice’s designee, the director[;] or the director’s designee, the president of the Hawaii State Bar Association[;] or the president’s designee, a representative designated by the head of the Interfaith Alliance Hawaii, a member from the general public to be appointed by the governor, and the president of the Hawaii chapter of the National Association of Social Workers[;] or the president’s designee. The panel shall submit to the governor the names of not less than three persons, designated as the nominees, for chairperson or as a member, for each vacancy. The requirement for nomination by the panel established under this section shall only apply to a nominee’s nomination by the governor to an initial term on the paroling authority and not to any subsequent consecutive term of a sitting paroling authority member or chairperson whose initial appointment to office was made pursuant to a nomination by the panel.”

SECTION 2. Section 353-62, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

- “(b) In its operations, the paroling authority shall:
- (1) Keep and maintain a record of all meetings and proceedings;
  - (2) Make public no more than thirty days after a parole release hearing the following information:
    - (A) The prisoner’s name; and
    - (B) Whether the parole request was approved or denied;
  - [~~(2)~~] (3) Send a detailed report of its operations to the governor every three months;
  - [~~(3)~~] (4) In promulgating rules, conform to chapter 91;
  - [~~(4)~~—In all matters] (5) Allow each prisoner a hearing before a panel of three of its members, which shall act by a majority of [its] the panel members; provided that if it is determined immediately preceding or

during the course of a hearing that a sitting panel member must be recused due to a conflict of interest or illness, the panel may proceed with two members; and

- [↵] (6) Appoint an administrative secretary and such other clerical and other assistants as may be necessary within the limits of available appropriations, subject to any applicable salary classification and civil service schedules, laws, and rules.”

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

SECTION 4. This Act shall take effect upon its approval.

(Approved June 14, 2013.)