

ACT 199

H.B. NO. 396

A Bill for an Act Relating to Compensation for Court-Appointed Counsel.

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

SECTION 1. Section 802-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) The court shall determine the amount of reasonable compensation to appointed counsel, based on the rate of [~~\$90~~] \$150 an hour; provided that the maximum allowable fee shall not exceed the following schedule:

(1) Any felony case	[\$6,000]	<u>\$12,000</u>
(2) Misdemeanor case-jury trial	[3,000]	<u>\$6,000</u>
(3) Misdemeanor case-jury waived	[1,500]	<u>\$3,000</u>
(4) Appeals	[5,000]	<u>\$9,000</u>
(5) Petty misdemeanor case	[900]	<u>\$1,800</u>
(6) Any other type of administrative or judicial proceeding, including cases arising under section 571-11(1)[;] <u>or</u> 571-14(a)(1)[;] or [571-14(a)](2)	[3,000-]	<u>\$6,000.</u>

Payment in excess of any maximum provided for under paragraphs (1) to (6) may be made whenever the court in which the representation was rendered certifies that the amount of the excess payment is necessary to provide fair compensation and the payment is approved by the administrative judge of that court.”

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$2,890,000 or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 to carry out the purposes of this Act.

The sums appropriated shall be expended by the department of budget and finance for the purposes of this Act.

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect on July 1, 2025.

(Approved June 6, 2025.)