

ACT 2

H.B. NO. 998

A Bill for an Act Relating to Contents of Citations.

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

SECTION 1. Section 803-6, Hawaii Revised Statutes, is amended by amending subsections (b) and (c) 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 ~~[[subsection]]~~ (a), if the police officer finds and is reasonably satisfied that ~~the person~~:

- (1) ~~[Will]~~ The person will appear in court at the time designated;
- (2) ~~[Has]~~ The person has no outstanding arrest warrants ~~[which]~~ that would justify the person’s detention or give indication that the person might fail to appear in court; and
- (3) ~~[That the]~~ 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.
- (c) The citation shall contain:
 - (1) The name ~~[and current address]~~ of the offender;
 - (2) The current address of the offender, if available;
 - ~~[(2)]~~ (3) The last four digits of the offender’s social security number[;], if available;
 - ~~[(3)]~~ (4) A description of the offender;
 - ~~[(4)]~~ (5) The nature of the offense;
 - ~~[(5)]~~ (6) The time and date of the offense;
 - ~~[(6)]~~ (7) A notice of time and date for court appearance;
 - ~~[(7)]~~ (8) The signature and badge number of the officer;

~~[(8)]~~ (9) The signature of the offender agreeing to court appearance[;], unless the offender refuses, or is unable to sign;
~~[(9)]~~ (10) Any remarks; and
~~[(10)]~~ (11) A notice directing the offender to appear at the time and place designated to stand trial for the offense indicated and a notice that failure to obey the citation may result in a fine or imprisonment, or both[-];
provided that omission of any of the information listed in paragraphs (1) to (11) or any error in the citation shall not be a ground for dismissal of a charge or for reversal of a conviction if the omission or error did not prejudice the defendant.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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 Statutory material to be repealed is bracketed and stricken.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 April 10, 2025.)