
A BILL FOR AN ACT

RELATING TO COUNTIES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Article VIII, section 2, of the Hawaii
2 constitution states, in relevant part, that, "Each political
3 subdivision shall have the power to frame and adopt a charter
4 for its own self-government within such limits and under such
5 procedures as may be provided by general law. . . . Charter
6 provisions with respect to a political subdivision's executive,
7 legislative and administrative structure and organization shall
8 be superior to statutory provisions, subject to the authority of
9 the legislature to enact general laws allocating and
10 reallocating powers and functions."

11 The purpose of this Act is to allow the counties the
12 authority to determine appropriate appointment and removal
13 procedures for county police chiefs pursuant to each county's
14 charter. The legislature finds that the grant of such authority
15 is within the purview of the counties' executive and
16 administrative structure and organization, and is therefore
17 supported by and consistent with the principle of county self-



1 governance established in article VIII, section 2, of the Hawaii
2 constitution.

3 SECTION 2. Section 52D-2, Hawaii Revised Statutes, is
4 amended to read as follows:

5 " ~~[+] §52D-2 [+~~ Chief of police. ~~[The police commission~~
6 ~~shall appoint a chief of police.]~~ A chief of police shall be
7 appointed and may be removed as prescribed by the charter of
8 each county. The chief of police shall annually make a report
9 to the police commission on the state of affairs and condition
10 of the police department."

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 Statutory material to be repealed is bracketed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

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

14

INTRODUCED BY:

Calvin H. Ay

BY REQUEST

JAN 19 2010



Report Title:

Counties; Chief of Police

Description:

Requires that county police chiefs be appointed and removed as prescribed by each county's charter.

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