

Honolulu, Hawaii

APR 26 2019

RE: S.B. No. 192  
S.D. 1  
H.D. 2  
C.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 192, S.D. 1, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO BAIL,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to implement certain recommendations of the criminal pretrial task force convened pursuant to House Concurrent Resolution No. 134, H.D. 1, Regular Session of 2017, to reform bail and other pretrial practices and procedures.

Your Committee on Conference finds that the cash-secured bail system unjustly disadvantages low-income individuals and their families. Your Committee on Conference further finds that individuals without the financial resources to pay the necessary amount of bail can be detained for weeks, months, or longer, and can additionally face the loss of employment, housing, or custody of



children. Your Committee on Conference additionally finds that there should be a means for courts to release defendants on unsecured bail under certain circumstances.

Your Committee on Conference has amended this measure by:

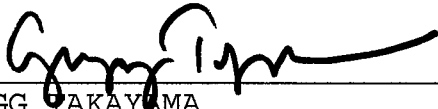
- (1) Deleting substantive provisions of the bill and only retaining language that authorizes the court to release a defendant in custody on unsecured bail and specifying what a court may consider in granting or denying unsecured bail;
- (2) Making it effective upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 192, S.D. 1, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 192, S.D. 1, H.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



GREGG SAKAYAMA  
Co-Chair



KARL RHOADS  
Chair



CHRIS LEE  
Co-Chair



GILBERT S.C. KEITH-AGARAN  
Co-Chair



CEDRIC ASUEGA GATES  
Co-Chair



Hawai'i State Legislature

CLR 82

Record of Votes of a  
Conference Committee

Bill / Concurrent Resolution No.: <b>SB 192, SD 1, HD 2</b>	Date/Time: 4/25/19 11:17am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

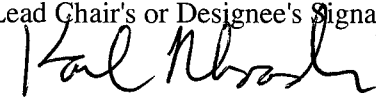
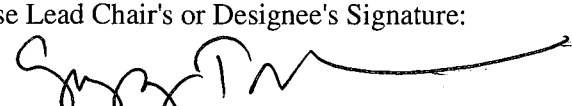
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RHOADS, Karl, Chr.	✓				TAKAYAMA, Gregg, Co-Chr.	✓			
KEITH-AGARAN, Gilbert S.C., Co-Chr.	✓				LEE, Chris, Co-Chr.	✓			
GABBARD, Mike	✓				GATES, Cedric Asuega, Co-Chr.	✓			
FEVELLA, Kurt				✓	MCDERMOTT, Bob				✓
<b>TOTAL</b>	3	0	0	1	<b>TOTAL</b>	3	0	0	1

A = Aye      WR = Aye with Reservations      N = Nay      E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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**Distribution:**      Original      Yellow      Pink      Goldenrod  
 File with Conference Committee Report      House Clerk's Office      Senate Clerk's Office      Drafting Agency