
A BILL FOR AN ACT

RELATING TO THE JUDICIARY.

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

1 SECTION 1. Chapter 602, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:
4 "§602- Certified questions; procedure. (a) A court of
5 inferior jurisdiction may certify to the supreme court a
6 question or proposition of law on which the court of inferior
7 jurisdiction seeks instruction for the proper decision of a case
8 that the supreme court has remanded to that inferior court. The
9 certificate shall contain a statement of the nature of the case
10 and the facts on which the question or proposition of law
11 arises. Only questions or propositions of law may be certified,
12 and they shall be stated separately and with precision.
13 (b) The supreme court shall answer a certified question or
14 proposition of law from a court of inferior jurisdiction within
15 calendar days of receipt.



1 (c) The supreme court may adopt rules regarding the
2 preparation and presentation of the certificate and any
3 associated briefs."

4 SECTION 2. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Courts; Supreme Court; Certified Questions

Description:

Allows a court of inferior jurisdiction to certify to the Hawaii Supreme Court a question or proposition of law on which the court of inferior jurisdiction seeks instruction for the proper decision of a remanded case. Requires the Supreme Court to answer the question within an unspecified number of calendar days. (HB2194 HD1)

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