

A BILL FOR AN ACT

To provide for penalties for failing to pay bail or appear for hearing, or failing to abide by an order of the court.

THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE
OF KOROR DO ENACT AS FOLLOWS:

SECTION 1. FAILURE TO POST BAIL OR FAILURE TO APPEAR:

Any person or entity issued a citation for any violation of Koror state laws by any peace officer of the Republic of Palau, any sanitation officer of the State of Koror, or any Marine Ranger for the State of Koror, shall post bail with the clerk of the courts on the date specified in the citation, and shall appear at the time, date, and place specified in the citation for the hearing of the citation. Failure to post bail in the amount specified at the time specified, or failure to appear at the date, time, and place specified, shall be punishable by a fine in the amount of \$100.00 for each failure to post bail on for each failure to appear. In the event that a person or entity fails to post bail more than once or fails to appear more than once in the same case or matter, then the second such violation shall be punished by a fine of \$200.00, and the penalty shall increase \$100.00 for each recurring violation thereafter.

SECTION 2. FAILURE TO COMPLY WITH ORDER OF THE COURT:

Any person or entity who is ordered by the court to perform any act or to refrain from doing any act in connection with a citation issued for a violation of Koror State law shall forthwith comply with the order of the court in all particulars. Failure to promptly or timely comply with any order or direction of the court shall be punishable by a fine in the amount of \$200.00 for each failure to comply with such order. In the event that a person or entity fails to comply with an order of the court more than once, then the second such violation shall be punished by a fine of \$300.00, and the penalty shall increase \$100.00 for each recurring violation thereafter. Each day of noncompliance constitutes a violation as contemplated by this section. Nothing in this section shall prohibit the State of Koror from enforcing any other legal remedy, such as an Order to Show Cause re criminal or civil contempt.

SECTION 3. WARRANT OF ARREST:

Any person or entity who violates section 1 or section 2 of this Act shall have a warrant issued for his or her arrest, and shall be detained until such time as bail for the original citation is posted. Bail shall also be collected for the violations of this Act before the arrest person is released. Bail shall be set according to the amount of the potential fine as set forth in section 1.

SECTION 4. LIABILITY FOR COSTS AND FEES:

Any person who violates section 1 or section 2 of this Act shall be responsible for any cost incurred as a result of the enforcement of this Act, including attorney's fees.

SECTION 5. SEVERABILITY:

In the event that any part of this Act is held to be invalid, the other portions of the Act shall remain in full force and effect.

THIRD KOROR STATE LEGISLATURE

KPL NO. K3-52-92

SPECIAL SESSION

BILL NO. 3-14

SECTION 6. EFFECTIVE DATE:

This Act shall become effective upon its approval by the House of Traditional Leaders, or according to the terms of the constitution of the State of Koror.

SECTION 7. APPLICABILITY:

This Act shall apply to any ticket or citation issued only for violations of Koror State law that calls for bail to be posted after the effective date of this Act, or which calls for a hearing date after the effective date of this Act, or to any order of the court issued after the effective date of this Act.

Date passed: September 16, 1992

CERTIFY BY:

ATTESTED TO BY:

/s/ _____
Roman Yano, Speaker

/s/ _____
Rena Iluches, Clerk

APPROVED THIS 29 DAY OF September 1992.

/s/ _____
YUTAKA M. GIBBONS
HIGH CHIEF
KOROR STATE