



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **634**

May 17, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on May 17, 2006, the following bill was signed into law:

SB2259 SD1 HD1

A BILL FOR AN ACT RELATING TO INFORMATION
CHARGING.
(ACT 104)

Sincerely,

A handwritten signature in cursive script, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor

on MAY 17 2006

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

ACT 104
S.B. NO. 2259
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO INFORMATION CHARGING.

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

1 SECTION 1. Section 806-83, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:
3 "(a) Criminal charges may be instituted by written
4 information for a felony when the charge is a class C felony
5 under section 19-3.5 (voter fraud); section 128D-10 (knowing
6 releases); section [+]132D-14(a)(1), (2)(A), and (3)[+]
7 (penalties for failure to comply with requirements of sections
8 132D-7, 132D-10, and 132D-16); section 134-6 (carrying or use of
9 firearm in the commission of a separate felony); section
10 134-7(a) and (b) (ownership or possession prohibited); section
11 134-8 (prohibited ownership); section 134-9 (licenses to carry);
12 section 134-17(a) (relating to false information or evidence
13 concerning psychiatric or criminal history); section 134-51
14 (deadly weapons); section 134-52 (switchblade knives); section
15 134-53 (butterfly knives); section 188-23 (possession or use of
16 explosives, electrofishing devices, and poisonous substances in
17 state waters prohibited); section 231-34 (attempt to evade or
18 defeat tax); section 231-36 (false and fraudulent statements);

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1 section 245-37 (sale or purchase of packages of cigarettes
2 without stamps); section 245-38 (vending unstamped cigarettes);
3 section 245-51 (sale of export cigarettes prohibited); section
4 245-52 (alteration of packaging prohibited); section 291C-12.5
5 (accidents involving substantial bodily injury); section
6 291E-61.5 (habitually operating a vehicle under the influence of
7 an intoxicant); section 329-41 (prohibited acts B); section
8 329-42 (prohibited acts C); section 329-43.5 (prohibited acts
9 related to drug paraphernalia); section 329C-2 (manufacture,
10 distribution, or possession with intent to distribute an
11 imitation controlled substance to a person under eighteen years
12 of age); section 346-34(d)(2) and (e) (fraud involving food
13 stamps or coupons with a value exceeding \$300); section 346-43.5
14 (medical assistance fraud); section 383-141 (falsely obtaining
15 benefits); section 431:10C-307.7 (insurance fraud); section
16 482D-7 (violation of fineness standards and stamping
17 requirements); section 485-8 (registration of securities);
18 section 485-14 (registration of dealers, investment advisers,
19 salespersons, and investment adviser representatives); section
20 485-25 (fraudulent and other prohibited practices); section
21 707-703 (negligent homicide in the second degree); section
22 707-705 (negligent injury in the first degree); section 707-711



1 (assault in the second degree); section 707-713 (reckless
2 endangering in the first degree); section 707-721 (unlawful
3 imprisonment in the first degree); section 707-726 (custodial
4 interference in the first degree); section 707-757 (electronic
5 enticement of a child in the second degree); section 707-766
6 (extortion in the second degree); section 708-811 (burglary in
7 the second degree); section 708-821 (criminal property damage in
8 the second degree); section 708-831 (theft in the second
9 degree); section 708-833.5 (shoplifting); section 708-835.5
10 (theft of livestock); section 708-836 (unauthorized control of
11 propelled vehicle); section 708-836.5 (unauthorized entry into
12 motor vehicle); section 708-839.5 (theft of utility services);
13 section 708-839.8 (identity theft in the third degree); section
14 708-852 (forgery in the second degree); section 708-854
15 (criminal possession of a forgery device); section 708-858
16 (suppressing a testamentary or recordable instrument); section
17 708-875 (trademark counterfeiting); section 708-891.5 (computer
18 fraud in the second degree); section 708-892.5 (computer damage
19 in the second degree); section 708-895.6 (unauthorized computer
20 access in the second degree); section 708-8100 (fraudulent use
21 of a credit card); section 708-8102 (theft/forgery of credit
22 cards); section 708-8103 (credit card fraud by a provider of



1 goods or services); section 708-8104 (possession of unauthorized
2 credit card machinery or incomplete cards); section 708-8200
3 (cable television service fraud in the first degree); section
4 708-8202 (telecommunication service fraud in the first degree);
5 section 709-903.5 (endangering the welfare of a minor in the
6 first degree); [+]section[+] 709-906 (abuse of family or
7 household members); section 710-1016.3 (obtaining a
8 government-issued identification document under false pretenses
9 in the first degree); section 710-1016.6 (impersonating a law
10 enforcement officer in the first degree); section 710-1017.5
11 (sale or manufacture of deceptive identification document);
12 section 710-1018 (securing the proceeds of an offense); section
13 710-1021 (escape in the second degree); section 710-1023
14 (promoting prison contraband in the second degree); section
15 710-1024 (bail jumping in the first degree); section 710-1029
16 (hindering prosecution in the first degree); section 710-1060
17 (perjury); section 710-1072.5 (obstruction of justice); section
18 711-1103 (riot); section 711-1109.3 (cruelty to animals/fighting
19 dogs); section 711-1110.9 (violation of privacy in the first
20 degree); section 711-1112 (interference with the operator of a
21 public transit vehicle); section 712-1221 (promoting gambling in
22 the first degree); section 712-1222.5 (promoting gambling aboard



1 ships); section 712-1224 (possession of gambling records in the
 2 first degree); section 712-1243 (promoting a dangerous drug in
 3 the third degree); section 712-1246 (promoting a harmful drug in
 4 the third degree); section 712-1247 (promoting a detrimental
 5 drug in the first degree); section 712-1249.6 (promoting a
 6 controlled substance in, on, or near schools or school
 7 vehicles); section 803-42 (interception, access, and disclosure
 8 of wire, oral, or electronic communications, use of pen
 9 register, trap and trace device, and mobile tracking device
 10 prohibited); or section [~~846E-9(a)(2) (penalty for failure to~~
 11 ~~comply with requirements of chapter 846E).~~] 846E-9(b) (failure
 12 to comply with covered offender registration requirements)."

13 SECTION 2. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

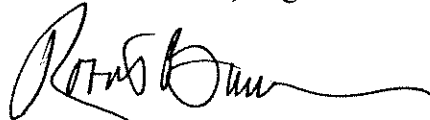


GOVERNOR OF THE STATE OF HAWAII
 Approved this day: MAY 17 2006

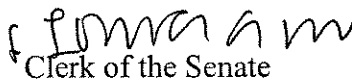
THE SENATE OF THE STATE OF HAWAII

Date: April 27, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



President of the Senate



Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: April 11, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



Speaker, House of Representatives



Clerk, House of Representatives