



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **760**

June 22, 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 June 22, 2006, the following bill was signed into law:

HB3256 HD1 SD1 CD1

A BILL FOR AN ACT RELATING TO
THE PENAL CODE.
(ACT 230)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

HOUSE OF REPRESENTATIVES
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

H.B. NO. 3256
H.D. 1
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

1 SECTION 1. Chapter 706, part II, Hawaii Revised Statutes,
2 is amended by adding a new section to be appropriately
3 designated and to read as follows:

4 "§706- Sentencing for first-time property offenders;
5 expungement. (1) Notwithstanding section 706-620(3), a person
6 convicted for the first time of any class C felony property
7 offense under chapter 708 who has not previously been sentenced
8 under section 706-606.5, section 706-622.5, or this section is
9 eligible to be sentenced to probation under subsection (2) if
10 the person meets the following criteria:

11 (a) The court has determined that the person is nonviolent
12 after reviewing the person's criminal history, the
13 factual circumstances of the offense for which the
14 person is being sentenced, and any other relevant
15 information;

16 (b) The person has been assessed by a certified substance
17 abuse counselor to be in need of substance abuse
18 treatment due to dependency or abuse under the

1 ~~methamphetamine, or any of its salts, isomers, and~~
2 ~~salts of isomers, by the defendant."]~~

3 SECTION 51. This Act does not affect rights and duties
4 that matured, penalties that were incurred, and proceedings that
5 were begun, before its effective date.

6 SECTION 52. In codifying the new sections added by section
7 4 of this Act, the revisor of statutes shall substitute
8 appropriate section numbers for the letters used in designating
9 the new sections in this Act.

10 SECTION 53. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 54. This Act shall take effect upon its approval;
13 provided that on June 30, 2007, sections 23 and 24 of this Act
14 shall be repealed and sections 706-661 and 706-662, Hawaii
15 Revised Statutes, shall be reenacted in the form in which they
16 read on the day before the effective date of this Act.

APPROVED this 22 day of JUN 4, 2006



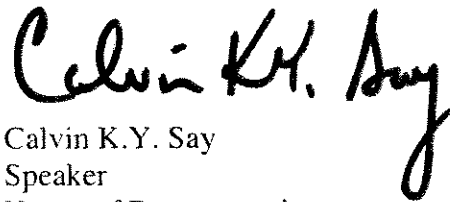
GOVERNOR OF THE STATE OF HAWAII

HB No. 3256 HD 1 SD 1 CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

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



Calvin K.Y. Say
Speaker
House of Representatives



Patricia Mau-Shimizu
Chief Clerk
House of Representatives

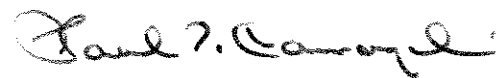
THE SENATE OF THE STATE OF HAWAII

Date: May 2, 2006
Honolulu, Hawaii

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



Robert Bunda
President of the Senate



Paul Kawaguchi
Clerk of the Senate