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# A BILL FOR AN ACT

RELATING TO THE DISPOSITION OF CONVICTED DEFENDANTS.

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

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

4           "§706-     First-time drug offender prior to 2004;  
5 probation; expungement. A person sentenced prior to  
6 July 1, 2004, for a first-time drug offense, pursuant to section  
7 706-622.5, and who otherwise meets all the requirements of  
8 section 706-622.5, may apply to the court for expungement of the  
9 record of conviction for the drug offense. The court shall  
10 issue a court order to expunge the record of conviction for the  
11 drug offense; provided the person has successfully completed a  
12 substance abuse treatment program and has complied with the  
13 other terms and conditions set by the court. A person granted  
14 an expungement of conviction under this section or section  
15 706-622.5(4) shall not be eligible for another expungement of  
16 conviction under this section or section 706-622.5."

17           SECTION 2. New statutory material is underscored.

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



PROPOSED

**Report Title:**

First-Time Drug Offenses; Expungement

**Description:**

Allows a person sentenced prior to 7/01/04, pursuant to HRS §706-622.5, for a first-time drug offense, who has completed a drug treatment and complied with terms set by the court, to apply for expungement of the record of conviction. (SD1)

