
A BILL FOR AN ACT

RELATING TO NEGLIGENT HOMICIDE.

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

1 SECTION 1. Section 707-702.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~§~~§707-702.5~~§~~] **Negligent homicide in the first degree.**

4 (1) A person is guilty of the offense of negligent homicide in
5 the first degree if that person causes the death of another
6 person by the operation of a vehicle in a negligent manner while
7 under the influence of drugs or alcohol.

8 (2) Negligent homicide in the first degree is a class B
9 felony.

10 (3) In addition to any applicable fine as may be imposed
11 for a class B felony, and notwithstanding section 706-660, a
12 person convicted under this section shall be sentenced to an
13 indeterminate term of imprisonment of ten years, without
14 possibility of probation or suspension of sentence if, prior to
15 the date of the act for which the person is sentenced under this
16 section, the person has been previously convicted of any of the
17 following offenses:

18 (a) Negligent homicide in the first degree;



- 1 (b) Any offense set forth in chapter 291E, part IV;
- 2 (c) Any offense in which the defendant caused the death of
- 3 another by operation of a vehicle while the defendant
- 4 was under the influence of drugs or alcohol; or
- 5 (d) An offense in another jurisdiction that is comparable
- 6 to an offense under paragraphs (a), (b), or (c)."

7 SECTION 2. This Act does not affect rights and duties that

8 matured, penalties that were incurred, and proceedings that were

9 begun, before its effective date.

10 SECTION 3. Statutory material to be repealed is bracketed

11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval.

13

INTRODUCED BY: *Joseline G. Jrompe*
Will Eyo
Di Kanno

SB2212

Report Title:

Negligent Homicide in the First Degree

Description:

Establishes enhanced penalties upon conviction of the offense of negligent homicide in the first degree for prior convictions of certain offenses.

