

JAN 25 2006

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. Act 161, Session Laws of Hawaii 2002, is
2 amended by adding a new section to read as follows:

3 "SECTION . A person sentenced for a first-time drug
4 offense prior to July 1, 2002:

5 (1) May apply for re-sentencing provided that the person
6 is able to demonstrate to the court a satisfactory
7 record of drug treatment and drug abstinence, and a
8 record free of any criminal conviction from the date
9 of the person's sentencing for the first-time drug
10 offense to the date of the application for
11 re-sentencing; and

12 (2) Upon re-sentencing, may apply to the court for
13 expungement of the related conviction and arrest
14 records.

15 Any person previously granted an expungement of a first-time
16 drug offense shall not be eligible for another expungement under
17 this provision."

18 SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval,
2 provided that section 1 shall take effect retroactive to
3 July 1, 2002.
4

INTRODUCED BY: For men
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SB2230

Report Title:

First-Time Drug Offenses; Expungement

Description:

Allows a person sentenced for a first-time drug offense prior to 7/01/02, who has a satisfactory record of drug treatment and abstinence and a record free of any criminal conviction, to apply for re-sentencing and expungement of related arrest and conviction records.

