

RECEIVED
THE SENATE
CLERK'S OFFICE
HONOLULU, HAWAII

THE SENATE
THE TWENTY-THIRD LEGISLATURE
REGULAR SESSION OF 2006 '06 FEB -7 P12:16

COMMITTEE ON JUDICIARY AND HAWAIIAN AFFAIRS

Senator Colleen Hanabusa, Chair
Senator Clayton Hee, Vice Chair

MEASURES DEFERRED TO FRIDAY, FEBRUARY 10, 2006

TIME: 9:00 a.m.
PLACE: Conference Room 229
State Capitol
415 South Beretania Street

DECISION MAKING ON THE FOLLOWING MEASURE(S):

(Deferred from Tuesday, February 7, 2006)

SB 2244	RELATING TO EXPUNGEMENTS. Requires the deletion of digitized arrest records, rather than the return of hard copy materials, if applicable. Clarifies the definition of "crime" as it relates to expungeable offenses. Limits expungements to applicants that have no convictions on their criminal record.	JHW
SB 2251	RELATING TO TORT ACTIONS. Reiterates the underlying intent of the discretionary function and the intentional tort exception to the State's waiver of sovereign immunity for the torts of its employees, and declares that all the exceptions to the State's waiver of sovereign immunity are to be broadly construed in the State's favor.	JHW
SB 2255	RELATING TO TIME LIMITATIONS. Adds crimes that include deception as an element of those crimes where the date of discovery is used to calculate the time limitation within which the crime must be charged.	JHW
SB 2256	RELATING TO COURT ADVISEMENT CONCERNING ALIEN STATUS. Allows courts to advise defendants of the effect of a criminal conviction on alien status.	JHW
SB 2259	RELATING TO INFORMATION CHARGING. Add "unlawful methamphetamine trafficking" to those felonies that may be initiated by information charging.	JHW



SB 2260

RELATING TO SENTENCING.

JHW

Provides for a mandatory sentence of 30 years to life for habitual violent felons. Adds 21 serious class C felonies to those offenses subject to repeat offender sentencing. Provides higher maximum terms for repeat offenders and lower penalties for most misdemeanor and petty misdemeanor offenses. Amends repeat offender statute to: (a) change the method of calculating the period of eligibility for repeat offender sentencing by adding the time a defendant spends on probation, parole, or in prison to the otherwise applicable period; (b) enhance certain sentencing provisions. Adds 20 class B and class C felonies to the list of offenses for which a deferred acceptance of plea (DAG or DANC) is not permitted.

SB 2265

RELATING TO CRIMES AGAINST MINORS.

JHW

Add electronic enticement of a child to the list of class C felonies subject to repeat offender sentencing. Mandates at least 1 year incarceration for defendants convicted of promoting child abuse or convicted of electronic enticement of a child. Eliminates the possibility of a deferred plea for those who enter a plea to the crime of promoting child abuse or the crime of electronic enticement of a child. Adds a new misdemeanor of electronic enticement of a child in the third degree.

No testimony will be accepted.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT 586-6916.

