

S .B. NO. 1347

JAN 22 2007

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**A BILL FOR AN ACT**

RELATING TO THE PENAL CODE.

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

SECTION 1. The purpose of this bill is to amend Hawaii's sentencing and related statutes to address the ruling of the United States Supreme Court in *Cunningham v. California*, decided on January 22, 2007.

SECTION 2. The Hawaii Penal Code is amended to effectuate the purpose of this Act.

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

INTRODUCED BY: \_\_\_\_\_

BY REQUEST

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO THE PENAL CODE.

PURPOSE: Amends Hawaii's sentencing and related statutes to address the ruling of the United States Supreme Court in Cunningham v. California, decided on January 22, 2007.

MEANS: Amend the Hawaii Penal Code.

JUSTIFICATION: This bill ensures that Hawaii's sentencing structure conform to the United States Supreme Court decision in Cunningham v. California.

Impact on the public:

Impact on the department and other agencies:

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: None.

OTHER AFFECTED AGENCIES: Judiciary.

EFFECTIVE DATE: Upon approval.