

JAN 18 2008

A BILL FOR AN ACT

RELATING TO VIOLENT OFFENDERS.

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

1 SECTION 1. Section 846E-1, Hawaii Revised Statutes, is
2 amended by adding two new definitions to be appropriately
3 inserted and to read as follows:

4 "Violent offender" means a person who is or has been
5 convicted at any time of a "violent offense" as defined in this
6 section.

7 "Violent offense" means any felony offense, as defined in
8 title 37, that involves injury or threat of injury to the person
9 of another."

10 SECTION 2. Section 846E-1, Hawaii Revised Statutes, is
11 amended by amending the definitions of "covered offender" and
12 "covered offense" to read as follows:

13 "Covered offender" means a "sex offender," [or] an
14 "offender against minors", or a violent offender, as defined in
15 this section.

16 "Covered offense" means a criminal offense that is:



- 1 (1) A crime within the definition of "crimes against
- 2 minors" in this section; [~~or~~]
- 3 (2) A crime within the definition of "sexual offense" in
- 4 this section[~~+~~]; or
- 5 (3) A crime within the definition of "violent offense" in
- 6 this section."

7 SECTION 3. Section 846E-10, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "[~~+~~]**S846E-10**[~~+~~] **Termination of registration requirements.**

10 (a) [A] Except as provided in subsection (d), a covered
11 offender whose most serious covered offense is a class A felony
12 or its non-Hawaii equivalent, who has substantially complied
13 with the registration requirements of this chapter for the
14 previous twenty-five years, who is not a sexually violent
15 predator, who is not an aggravated sex offender, and who is not
16 a repeat covered offender, may petition the court, in a civil
17 proceeding, for termination of registration requirements on the
18 ground that registration is no longer necessary for the
19 protection of the public.

20 (b) [A] Except as provided in subsection (d), a covered
21 offender whose most serious covered offense is a class B felony
22 or its non-Hawaii equivalent, who has substantially complied



1 with the registration requirements of this chapter for the
2 previous fifteen years, who is not a sexually violent predator,
3 who is not an aggravated sex offender, and who is not a repeat
4 covered offender, may petition the court, in a civil proceeding,
5 for termination of registration requirements on the ground that
6 registration is no longer necessary for the protection of the
7 public.

8 (c) [A] Except as provided in subsection (d), a covered
9 offender whose most serious covered offense is a class C felony
10 or its non-Hawaii equivalent, or a misdemeanor or its non-Hawaii
11 equivalent, who has substantially complied with the registration
12 requirements of this chapter for the previous ten years, who is
13 not a sexually violent predator, who is not an aggravated sex
14 offender, and who is not a repeat covered offender, may petition
15 the court, in a civil proceeding, for termination of
16 registration requirements on the ground that registration is no
17 longer necessary for the protection of the public.

18 (d) A violent offender who has substantially complied with
19 the registration requirements of this chapter and remained
20 conviction-free for the previous six years may petition the
21 court, in a civil proceeding, for termination of registration



1 requirements on the ground that registration is no longer
2 necessary for the protection of the public.

3 [~~(d)~~] (e) A denial by the court for relief pursuant to a
4 petition under this section shall preclude the filing of another
5 petition for five years from the date of the last denial."

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

9

INTRODUCED BY:

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Report Title:

Violent Offenders; Registry

Description:

Expands sex offender registry to require registration of violent offenders. Permits violent offenders to petition for termination of registration requirement after 6 years.

