

Honolulu, Hawaii
Feb 28, 2008

RE: H.B. No. 2729
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2729 entitled:

"A BILL FOR AN ACT RELATING TO BURGLARY,"

begs leave to report as follows:

The purpose of this bill is increase the penalty for burglaries by creating a new category of burglary in the first degree for crimes that take place in a dwelling and involve a dangerous instrument.

The Hawaii Rifle Association testified in support of this bill. The Office of the Public Defender, the City and County of Honolulu Department of the Prosecuting Attorney, the Community Alliance on Prisons, and an individual opposed this measure.

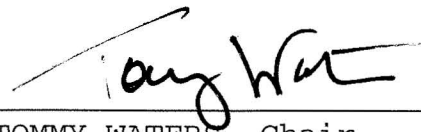
Your Committee has amended this bill by:

- (1) Deleting references to firearms from the definition of a "dangerous instrument";
- (2) Including as a criterion in the new offense of burglary in the second degree, the reckless disregard of a risk that the building is a dwelling; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2729, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2729, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



