

STAND. COM. REP. NO. 799

Honolulu, Hawaii

March 1, 2007

RE: H.B. No. 583
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 583 entitled:

"A BILL FOR AN ACT RELATING TO TIME LIMITATIONS,"

begs leave to report as follows:

The purpose of this bill is to extend the statute of limitations for prosecution of felony sexual assault or child abuse offenses committed when the victim was under 18 years of age.

Your Committee received testimony in support of the measure from the Department of the Attorney General, Department of the Prosecuting Attorney for the City and County of Honolulu, Honolulu Police Department, and several private individuals. The Office of the Public Defender opposed this measure.

Your Committee finds that this measure attempts to address a current difficulty in prosecuting sexual assault of minors. However, there may be some confusion with respect to existing provisions in the law relating to the bill's subject matter.

Accordingly, your Committee has amended this bill by:

- (1) Repealing the existing provision declaring that the statute of limitations does not run for any felony sexual assault or child abuse offense during any time

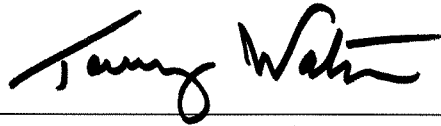


when the victim is alive and under 18 years of age, to avoid confusion;

- (2) Changing its effective date to January 1, 2112; and
- (3) Making technical, nonsubstantive amendments for style, clarity, and consistency.

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. 583, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 583, 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



