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## A BILL FOR AN ACT

RELATING TO DRIVING UNDER THE INFLUENCE.

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

1           SECTION 1. Section 707-702.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           " ~~[+] §707-702.5 [.]~~ Negligent homicide in the first degree.

4           (1) A person is guilty of the offense of negligent homicide in  
5 the first degree if that person causes the death of another  
6 person by the operation of a vehicle in a negligent manner while  
7 under the influence of drugs or alcohol.

8           (2) Negligent homicide in the first degree is a class B  
9 felony ~~[.]~~ for which the defendant shall be sentenced as provided  
10 in subsection (3).

11           (3) Notwithstanding sections 706-620, 706-640, 706-641,  
12 706-660, 706-669, and any other law to the contrary, a person  
13 convicted under this section shall be sentenced to an  
14 indeterminate term of imprisonment of ten years with a mandatory  
15 minimum term of imprisonment of at least                    and not more  
16 than                    and a fine not to exceed \$                   ; provided  
17 that:



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1     (a) If the person has one prior conviction under this  
 2     section, the mandatory minimum term of imprisonment  
 3     shall be at least \_\_\_\_\_ and not more than \_\_\_\_\_ ;

4     (b) If the person has two prior convictions under this  
 5     section, the mandatory minimum term of imprisonment  
 6     shall be at least \_\_\_\_\_ and not more than \_\_\_\_\_ ;  
 7     and

8     (c) If the person has three or more prior convictions  
 9     under this section, the mandatory minimum term of  
 10    imprisonment shall be ten years."

11     SECTION 2. Statutory material to be repealed is bracketed  
 12 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: Tom Brower

*[Handwritten signatures and names of legislators:]*  
 [Signature]     [Signature]     ~~[Signature]~~     Kal Rhodes  
 [Signature]     [Signature]     [Signature]  
 Denny Griffin     [Signature]     [Signature]  
 Rider Cubamilla     [Signature]     [Signature]  
 [Signature]     [Signature]     [Signature]  
 [Signature]     [Signature]     [Signature]  
 [Signature]     [Signature]     [Signature]  
 [Signature]     [Signature]     [Signature]

**Report Title:**

Negligent Homicide; Driving Under the Influence; Mandatory Minimums

**Description:**

Establishes mandatory minimum prison terms and fines for negligent homicide caused by driving under the influence of drugs or alcohol.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

