

JAN 20 2010

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# A BILL FOR AN ACT

RELATING TO VIOLENT CRIME.

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

1           SECTION 1. Chapter 712, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§712-       Committing a violent crime in, on, or near  
5 schools, school vehicles, or public parks. (1) A person  
6 commits the offense of committing a violent crime in, on, or  
7 near schools, school vehicles, or public parks if the person  
8 knowingly:

9           (a) Commits a violent crime in or on the real property  
10 comprising a school or public park;

11           (b) Commits a violent crime within seven hundred and fifty  
12 feet of the real property comprising a school or  
13 public park; or

14           (c) Commits a violent crime while on any school vehicle,  
15 or within ten feet of a parked school vehicle during  
16 the time that the vehicle is in service for or waiting  
17 to transport school children.



1        (2) A person who violates subsection (1) is guilty of a  
2 class A felony.

3        (3) For the purposes of this section:

4        "School" means any public or private preschool,  
5 kindergarten, elementary, intermediate, middle secondary, or  
6 high school.

7        "School vehicle" means every school vehicle as defined in  
8 section 286-181 and any regulations adopted pursuant to that  
9 section.

10       "Violent crime" means:

11       Assault in the first degree, as provided for in section  
12 707-710;

13       Assault in the second degree, as provided for in section  
14 707-711;

15       Sexual assault in the second degree, as provided for in  
16 section 707-731; and

17       Sexual assault in the third degree, as provided for in  
18 section 707-732."

19       SECTION 2. This Act does not affect rights and duties that  
20 matured, penalties that were incurred, and proceedings that were  
21 begun before its effective date.



# S.B. NO. 2035

1 SECTION 3. New statutory material is underscored.

2 SECTION 4. This Act shall take effect on January 1, 2011.

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INTRODUCED BY: Shianne Chun Oakland



**Report Title:**

Violent crime in, on, or near schools, school vehicles, or public parks

**Description:**

Enhances sentencing for certain violent crimes committed in, on, or near schools, school vehicles, or public parks.

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