

JAN 27 2010

S.B. NO. 2894

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# A BILL FOR AN ACT

RELATING TO TIME LIMITATIONS.

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

1           SECTION 1. Section 701-108, Hawaii Revised Statutes, is  
2 amended as follows:

3           1. By amending subsection (1) to read:

4           "(1) A prosecution for murder, murder in the first and  
5 second degrees, attempted murder, and attempted murder in the  
6 first and second degrees, criminal conspiracy to commit murder  
7 in any degree, [~~and~~] criminal solicitation to commit murder in  
8 any degree, and child sexual abuse as defined by section 588-2  
9 may be commenced at any time."

10          2. By amending subsection (6) to read:

11          "(6) The period of limitation does not run:

12          (a) During any time when the accused is continuously  
13 absent from the State or has no reasonably  
14 ascertainable place of abode or work within the State,  
15 but in no case shall this provision extend the period  
16 of limitation by more than four years from the  
17 expiration of the period of limitation prescribed in  
18 subsection (2); or



1 (b) During any time when a prosecution against the accused  
 2 for the same conduct is pending in this State [~~;~~ ~~or~~].  
 3 [~~(c) For any felony offense under chapter 707, part V or~~  
 4 ~~VI, during any time when the victim is alive and under~~  
 5 ~~eighteen years of age.] "~~

6 SECTION 2. Statutory material to be repealed is bracketed  
 7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act does not affect rights and duties that  
 9 matured, penalties that were incurred, and proceedings that were  
 10 begun before its effective date.

11 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

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 By Request



**Report Title:**

Child Sexual Abuse; Statute of Limitations.

**Description:**

Eliminates the statute of limitations for child sexual abuse prosecutions.

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

