
A BILL FOR AN ACT

RELATING TO THEFT.

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

1 SECTION 1. Section 706-620, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§706-620 Authority to withhold sentence of imprisonment.**

4 A defendant who has been convicted of a crime may be sentenced
5 to a term of probation unless:

6 (1) The crime is first or second degree murder or
7 attempted first or second degree murder;

8 (2) The crime is a class A felony, except class A felonies
9 defined in chapter 712, part IV, and by section 707-
10 702;

11 (3) The defendant is a repeat offender under section 706-
12 606.5;

13 (4) The defendant is a felony firearm offender as defined
14 in section 706-660.1(2); [~~or~~]

15 (5) The crime involved the death of or the infliction of
16 serious or substantial bodily injury upon a child, an
17 elder person, or a handicapped person under section
18 706-660.2[~~-~~]; or



1 (6) The defendant commits theft of property, the total
2 value of which exceeds \$100,000."

3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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

9

INTRODUCED BY:

Calvin H. Ay

By Request

JAN 21 2011



Report Title:

Property Theft; Probation

Description:

Establishes that a person convicted of property theft over \$100,000 may not be sentenced to probation.

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

