

STAND. COM. REP. NO. 481

Honolulu, Hawaii

Feb 18, 2011

RE: H.B. No. 1121  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1121 entitled:

"A BILL FOR AN ACT RELATING TO TERMS OF IMPRISONMENT,"

begs leave to report as follows:

The purpose of this bill is to establish a minimum term of imprisonment, for which an extended term of imprisonment is not given, for a person who, in the course of committing or attempting to commit a felony, causes the death or inflicts serious or substantial bodily injury upon pregnant women, and such status is known or reasonably should be known to the defendant.

A concerned individual testified in support of this bill. The Office of the Public Defender, American Civil Liberties Union of Hawaii, and a concerned individual testified in opposition to this measure. Planned Parenthood of Hawaii and a concerned individual submitted comments.

Your Committee understands that this is not a right to life issue and emphasizes that pregnant women are treated as another protected class.

Your Committee has amended this bill by:

- (1) Establishing that a term of imprisonment and criteria for extended terms of imprisonment for a person who, in

HB1121 HD1 HSCR HUS HMS 2011-2046

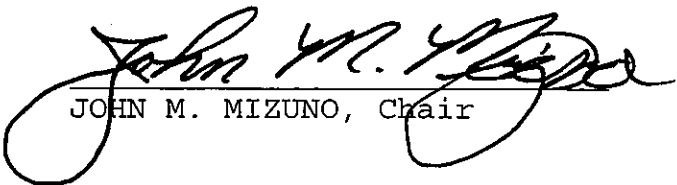


the course of committing or attempting to commit a felony, causes the death or inflicts serious or substantial bodily injury upon a person who is pregnant, shall not apply to:

- (A) Legal abortions performed by healthcare workers and social and healthcare workers who administer emergency contraceptive pills; and
  - (B) Abortions performed by pregnant women on themselves;
- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
  - (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1121, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1121, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
JOHN M. MIZUNO, Chair



