

JAN 25 2012

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# A BILL FOR AN ACT

RELATING TO SEX OFFENDERS.

**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-       Residency restrictions for certain sex offenders.

5           (1) It shall be unlawful for any person convicted of a sexual  
6 offense against a child twelve years of age or younger to reside  
7 within seven hundred fifty feet of any school building or any  
8 real property comprising a school.

9           (2) As used in this section:

10          "Sexual offense" means:

11          (a) An act set forth in section 707-730(1)(a),  
12             707-730(1)(b), 707-730(1)(d), 707-730(1)(e), 707-731,  
13             707-732(1)(a), 707-732(1)(b), 707-732(1)(d),  
14             707-732(1)(e), 707-732(1)(f), 707-733(1)(a), 707-733,  
15             707-733.6, 707-750, 707-756, 707-759, 711-1110.9,  
16             712-1202(1)(a); 712-1202(1)(b), or 712-1203(1);



1        (b) An act defined in section 707-720 if the charging  
2                document for which there has been a conviction alleged  
3                an intent to subject the victim to a sexual offense;

4        (c) A criminal offense that is comparable to or exceeds a  
5                sexual offense as defined in paragraph (a) or (b), or  
6                any federal, military, or out-of-state conviction that  
7                under the laws of this State would be a sexual offense  
8                as defined in paragraph (a) or (b); or

9        (d) An act, as described in chapter 705, that is an  
10                attempt, criminal solicitation, or criminal conspiracy  
11                to commit one of the offenses designated in paragraphs  
12                (a) through (c).

13        "School" means any public, charter, or private preschool,  
14        kindergarten, elementary, intermediate, middle, secondary, or  
15        high school.

16        (3) Any person violating this section shall be guilty of a  
17        class C felony."

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

21        SECTION 3. New statutory material is underscored.

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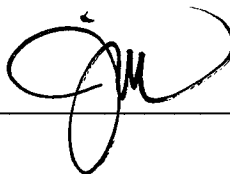


# S.B. NO. 3060

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

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be 'JW', is written over a horizontal line that follows the text 'INTRODUCED BY:'. The signature is stylized and cursive.

# S.B. NO. 3060

**Report Title:**

Sex Offenders; Penal Code

**Description:**

Makes it a class C felony for persons convicted of certain sexual offenses committed against a child twelve years of age or younger to reside within seven hundred fifty feet of any school building or any real property comprising a school.

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

