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## A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT.

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

1           SECTION 1. Chapter 706, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:  
4           "§706-           Sentence of imprisonment for sexual assault of  
5 another person who is less than twelve years old. (1) Any  
6 person who is convicted of an offense under section 707-  
7 730(1)(a), 707-730(1)(d), or 707-730(1)(e) against another  
8 person who is less than twelve years old, if not sentenced to an  
9 extended term of imprisonment pursuant to 706-662, shall be  
10 sentenced to a mandatory minimum term of imprisonment of six  
11 years, eight months without the possibility of parole or  
12 probation.  
13           (2) Any person who is convicted of an offense under  
14 section 707-731(1)(a), 707-731(1)(b), or 707-731(1)(c) against  
15 another person who is less than twelve years old, if not  
16 sentenced to an extended term of imprisonment pursuant to 706-  
17 662, shall be sentenced to a mandatory minimum term of



1 imprisonment of three years, four months without the possibility  
2 of parole or probation.

3 (3) Any person who is convicted of an offense under  
4 section 707-732(1)(a) against another person who is less than  
5 twelve years old, if not sentenced to an extended term of  
6 imprisonment pursuant to 706-662, shall be sentenced to a  
7 mandatory minimum term of imprisonment of one year, eight months  
8 without the possibility of parole or probation."

9 SECTION 2. Section 706-606.3, Hawaii Revised Statutes, is  
10 amended by amending subsection (1) to read as follows:

11 "(1) A person who has committed intra-family sexual  
12 assault may be considered for the expedited sentencing program  
13 in accordance with this section[-]; provided that this section  
14 shall not apply to a person who is subject to the sentencing  
15 provisions relating to sexual assault of another person who is  
16 less than twelve years old in accordance with section 706- .

17 As used in this section, "intra-family" sexual assault means any  
18 criminal offense of felony sexual assault under section 707-730,  
19 707-731, or 707-732, or incest, as defined in section 707-741,  
20 in which the victim of the offense is related to the defendant  
21 by consanguinity or marriage, or resides in the same dwelling



# H.B. NO. 1213


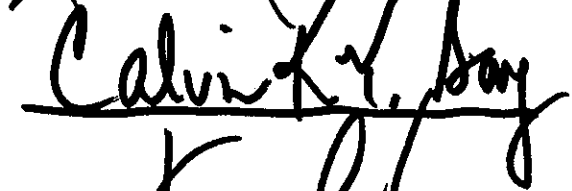
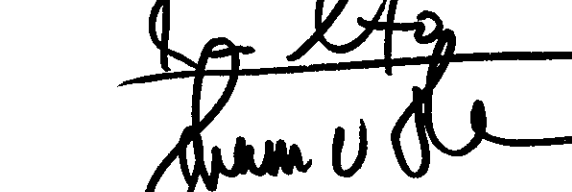

1 unit as the defendant, and the victim was, at the time of the  
2 sexual assault, under the age of eighteen."

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

5 SECTION 4. This Act shall take effect on July 1, 2013.

6

INTRODUCED BY:

JAN 23 2013



# H.B. NO. 1213

**Report Title:**

Sexual Assault; Person Under Twelve Years Old; Sentence

**Description:**

Requires specified mandatory minimum terms of imprisonment without the possibility of parole or probation for a person who has been convicted of sexual assault in the first, second, and third degree against another person who is less than twelve years old. Effective July 1, 2013.

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

