

JAN 18 2013

S.B. NO. 355

A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

1 SECTION 1. The legislature finds that during the tsunami
2 warning issued in Hawaii on October 27, 2012, several homes that
3 had been evacuated were burglarized. Due to such occurrences,
4 the legislature also finds that people may not evacuate or may
5 be reluctant to during a civil defense emergency out of fear
6 that their homes may be burglarized.

7 The purpose of this Act is to provide further deterrence to
8 crimes of burglary during a civil defense emergency or disaster
9 relief period.

10 SECTION 2. Section 708-817, Hawaii Revised Statutes, is
11 amended by amending subsection (2) to read as follows:

12 "(2) Burglary of a dwelling during a civil defense
13 emergency or disaster relief period is a class A felony. A
14 person convicted under this section shall be sentenced to a
15 mandatory minimum jail sentence of not less than three years."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.



1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Burglary of a Dwelling; Civil Defense Emergency; Mandatory Minimum Sentencing

Description:

Imposes a mandatory minimum jail sentence of not less than three years for conviction of burglary of a dwelling during a civil defense emergency or disaster relief period.

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