

JAN 18 2013

A BILL FOR AN ACT

RELATING TO SENTENCE OF IMPRISONMENT FOR SEXUAL ASSAULT OF A
MINOR UNDER THE AGE OF TWELVE YEARS.

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 a
5 minor under the age of twelve years. (1) Any person who is
6 convicted of an offense under section 707-730(1)(a), 707-
7 730(1)(d), or 707-730(1)(e) against a minor under the age of
8 twelve years, if not sentenced to an extended term of
9 imprisonment pursuant to 706-662, shall be sentenced to a
10 mandatory minimum term of imprisonment of six years, eight
11 months without the possibility of parole or probation.

12 (2) Any person who is convicted of an offense under
13 section 707-731(1)(a), 707-731(1)(b), or 707-731(1)(c) against a
14 minor under the age of twelve years, if not sentenced to an
15 extended term of imprisonment pursuant to 706-662, shall be
16 sentenced to a mandatory minimum term of imprisonment of three



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

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

9 SECTION 2. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:



By Request



S.B. NO. 422

Report Title:

Honolulu Prosecutor Package; Sentencing; Sexual Assault; Minor

Description:

Requires the court to impose a mandatory minimum term of imprisonment without possibility of parole or probation for a person convicted of certain acts of sexual assault against a minor under the age of 12 years.

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