
A BILL FOR AN ACT

RELATING TO UNAUTHORIZED ENTRY INTO MOTOR VEHICLE.

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

1 SECTION 1. Section 706-606.5, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:
3 "(1) Notwithstanding section 706-669 and any other law to
4 the contrary, any person convicted of murder in the second
5 degree, any class A felony, any class B felony, or any of the
6 following class C felonies: section 134-7 relating to ownership
7 or possession of firearms or ammunition by persons convicted of
8 certain crimes; section 134-8 relating to ownership, etc., of
9 certain prohibited weapons; section 134-9 relating to licenses
10 to carry; section 188-23 relating to possession or use of
11 explosives, electrofishing devices, and poisonous substances in
12 state waters; section 386-98(d)(1) relating to fraud violations
13 and penalties; section 431:2-403(b)(2) relating to insurance
14 fraud; section 707-703 relating to negligent homicide in the
15 second degree; section 707-711 relating to assault in the second
16 degree; section 707-713 relating to reckless endangering in the
17 first degree; section 707-716 relating to terroristic
18 threatening in the first degree; section 707-721 relating to



1 unlawful imprisonment in the first degree; section 707-732
2 relating to sexual assault [~~or rape~~] in the third degree;
3 section 707-752 relating to promoting child abuse in the third
4 degree; section 707-757 relating to electronic enticement of a
5 child in the second degree; section 707-766 relating to
6 extortion in the second degree; section 708-811 relating to
7 burglary in the second degree; section 708-821 relating to
8 criminal property damage in the second degree; [~~section 708-831~~
9 ~~relating to theft in the first degree as amended by Act 68,~~
10 ~~Session Laws of Hawaii 1981;~~] section 708-831 relating to theft
11 in the second degree; section 708-835.5 relating to theft of
12 livestock; section 708-836 relating to unauthorized control of
13 propelled vehicle; section 708-836.5 relating to unauthorized
14 entry into motor vehicle in the first degree; section 708-839.55
15 relating to unauthorized possession of confidential personal
16 information; section 708-839.8 relating to identity theft in the
17 third degree; [~~section 708-839.55 relating to unauthorized~~
18 ~~possession of confidential personal information;~~] section
19 708-852 relating to forgery in the second degree; section
20 708-854 relating to criminal possession of a forgery device;
21 section 708-875 relating to trademark counterfeiting; section
22 710-1071 relating to intimidating a witness; section 711-1103



1 relating to riot; [~~section 712-1203 relating to promoting~~
2 ~~prostitution in the second degree;~~] section 712-1221 relating to
3 gambling in the first degree; section 712-1224 relating to
4 possession of gambling records in the first degree; section
5 712-1243 relating to promoting a dangerous drug in the third
6 degree; section 712-1247 relating to promoting a detrimental
7 drug in the first degree; section 846E-9 relating to failure to
8 comply with covered offender registration requirements[~~, section~~
9 ~~134-7 relating to ownership or possession of firearms or~~
10 ~~ammunition by persons convicted of certain crimes; section 134-8~~
11 ~~relating to ownership, etc., of prohibited weapons; section 134-~~
12 ~~9 relating to permits to carry], or who is convicted of
13 attempting to commit murder in the second degree, any class A
14 felony, any class B felony, or any of the class C felony
15 offenses enumerated above and who has a prior conviction or
16 prior convictions for the following felonies, including an
17 attempt to commit the same: murder, murder in the first or
18 second degree, a class A felony, a class B felony, any of the
19 class C felony offenses enumerated above, or any felony
20 conviction of another jurisdiction, shall be sentenced to a
21 mandatory minimum period of imprisonment without possibility of
22 parole during such period as follows:~~



- 1 (a) One prior felony conviction:
 - 2 (i) Where the instant conviction is for murder in the
 - 3 second degree or attempted murder in the second
 - 4 degree--ten years;
 - 5 (ii) Where the instant conviction is for a class A
 - 6 felony--six years, eight months;
 - 7 (iii) Where the instant conviction is for a class B
 - 8 felony--three years, four months; and
 - 9 (iv) Where the instant conviction is for a class C
 - 10 felony offense enumerated above--one year, eight
 - 11 months;
- 12 (b) Two prior felony convictions:
 - 13 (i) Where the instant conviction is for murder in the
 - 14 second degree or attempted murder in the second
 - 15 degree--twenty years;
 - 16 (ii) Where the instant conviction is for a class A
 - 17 felony--thirteen years, four months;
 - 18 (iii) Where the instant conviction is for a class B
 - 19 felony--six years, eight months; and
 - 20 (iv) Where the instant conviction is for a class C
 - 21 felony offense enumerated above--three years,
 - 22 four months;



- 1 (c) Three or more prior felony convictions:
- 2 (i) Where the instant conviction is for murder in the
- 3 second degree or attempted murder in the second
- 4 degree--thirty years;
- 5 (ii) Where the instant conviction is for a class A
- 6 felony--twenty years;
- 7 (iii) Where the instant conviction is for a class B
- 8 felony--ten years; and
- 9 (iv) Where the instant conviction is for a class C
- 10 felony offense enumerated above--five years."

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

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

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



Report Title:

Repeat Offenders; Unauthorized Entry into Motor Vehicle

Description:

Requires a mandatory minimum sentencing period of imprisonment for any person who is convicted for and has a prior conviction or prior convictions for unauthorized entry into a motor vehicle in the first degree. (SD1)

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

