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# A BILL FOR AN ACT

RELATING TO SENTENCING.

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

1           SECTION 1. Section 706-660.2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§706-660.2~~ **Sentence of imprisonment for offenses against**  
4 **children, elder persons, or handicapped persons.** (1)

5 Notwithstanding section 706-669, [~~a person who,~~] if in the  
6 course of committing or attempting to commit a felony, a person  
7 causes the death or inflicts serious or substantial bodily  
8 injury upon [~~a~~] another person who is[~~+~~

9           ~~(1)~~ Sixty] sixty years of age or older;

10           ~~(2)~~ Blind,] blind, a paraplegic, or a quadriplegic; or

11           ~~(3)~~ Eight] eight years of age or younger;

12 and [~~such~~] the disability is known or reasonably should be known  
13 to the defendant, the defendant shall, if not subjected to an  
14 extended term of imprisonment pursuant to section 706-662, be  
15 sentenced to a mandatory minimum term of imprisonment without  
16 possibility of parole as follows:

17           ~~(1)~~ (a) For murder in the second degree--fifteen years;

18           ~~(2)~~ (b) For a class A felony--six years, eight months;



1       ~~(3)~~ (c) For a class B felony--three years, four months;

2       ~~(4)~~ (d) For a class C felony--one year, eight months.

3       (2) Notwithstanding section 706-669, a person who commits  
4 or attempts to commit any of the following offenses: section  
5 708-830.5 relating to theft in the first degree; 708-831  
6 relating to theft in the second degree; 708-839.6 relating to  
7 identity theft in the first degree; 708-839.7 relating to  
8 identity theft in the second degree; 708-839.8 relating to  
9 identity theft in the third degree; 708-840 relating to robbery  
10 in the first degree; or 708-841 relating to robbery in the  
11 second degree, upon a person who the defendant knows or  
12 reasonably should know is sixty years of age or older, if not  
13 subjected to an extended term of imprisonment pursuant to  
14 section 706-662, shall be sentenced to a mandatory minimum term  
15 of imprisonment without possibility of parole as follows:

16       (a) For a class A felony--six years, eight months;

17       (b) For a class B felony--three years, four months; and

18       (c) For a class C felony--one year, eight months."

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



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

3           SECTION 4. This Act shall take effect on July 1, 2050.

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**Report Title:**

Crimes Against Elders; Sentencing

**Description:**

Establishes mandatory minimum prison terms for certain offenses committed against persons whom the defendant knows or reasonably should know are sixty years of age or older. Effective 7/1/2050. (SD1)

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

