

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), (d), or (e)
7 against a minor under the age of twelve years, if not sentenced
8 to an extended term of imprisonment pursuant to 706-662, shall
9 be sentenced to a mandatory minimum term of imprisonment of six
10 years and eight months without the possibility of parole or
11 probation.

12 (2) Any person who is convicted of an offense under
13 section 707-731(1)(a), (b), or (c) against a minor under the age
14 of twelve years, if not sentenced to an extended term of
15 imprisonment pursuant to 706-662, shall be sentenced to a
16 mandatory minimum term of imprisonment of three years and four
17 months without the possibility of parole or probation.



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

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

10 SECTION 3. New statutory material is underscored.

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

12

INTRODUCED BY: Will Enger
Ross & Bell
P. P.



Report Title:

Sexual Assault; Sentencing

Description:

Imposes mandatory minimum terms of imprisonment for conviction of sexual assault in the first, second, and third degrees against certain minors under the age of twelve years, if no extended term is imposed.

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