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## A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

1           SECTION 1. Section 706-623, Hawaii Revised Statutes, is  
2 amended by amending subsection (2) to read as follows:  
3           "(2) When a defendant who is sentenced to probation has  
4 previously been detained in any state or county correctional or  
5 other institution following arrest for the crime for which  
6 sentence is imposed, the period of detention following arrest  
7 shall be deducted from the term of imprisonment if the term is  
8 given as a condition of probation. The pre-sentence report  
9 shall contain a certificate showing the length of such detention  
10 of the defendant prior to sentence in any state or county  
11 correctional or other institution, and the certificate shall be  
12 annexed to the official records of the defendant's sentence.  
13 The court shall review the certificate to determine the  
14 defendant's presentence credit time and compute the sentence  
15 expiration date for each case and count in a month, day, year  
16 format. The sentence expiration date for each case and count  
17 shall be included in the court's judgment order."



1 SECTION 2. Section 706-671, Hawaii Revised Statutes, is  
2 amended by amending subsections (1) and (2) to read as follows:

3 "(1) When a defendant who is sentenced to imprisonment has  
4 previously been detained in any State or local correctional or  
5 other institution following the defendant's arrest for the crime  
6 for which sentence is imposed, such period of detention  
7 following the defendant's arrest shall be deducted from the  
8 minimum and maximum terms of such sentence. The officer having  
9 custody of the defendant shall furnish a certificate to the  
10 court [~~at~~] prior to the time of sentence, showing the length of  
11 such detention of the defendant prior to sentence in any State  
12 or local correctional or other institution, and the certificate  
13 shall be annexed to the official records of the defendant's  
14 commitment. The court shall review the certificate to determine  
15 the defendant's presentence credit time and compute the sentence  
16 expiration date for each case and count in a month, day, year  
17 format. The sentence expiration date for each case and count  
18 shall be included in the court's judgment order.

19 (2) When a judgment of conviction or a sentence is vacated  
20 and a new sentence is thereafter imposed upon the defendant for  
21 the same crime, the period of detention and imprisonment



1 theretofore served shall be deducted from the minimum and  
 2 maximum terms of the new sentence. The officer having custody  
 3 of the defendant shall furnish a certificate to the court [at]  
 4 prior to the time of sentence, showing the period of  
 5 imprisonment served under the original sentence, and the  
 6 certificate shall be annexed to the official records of the  
 7 defendant's new commitment. The court shall review the  
 8 certificate to determine the defendant's original sentence  
 9 credit time and compute the sentence expiration date for each  
 10 case and count in a month, day, year format. The sentence  
 11 expiration date for each case and count shall be included in the  
 12 court's judgment order."

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

15 SECTION 4. This Act shall take effect upon its approval.  
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INTRODUCED BY:

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JAN 17 2020



# H.B. NO. 1900

**Report Title:**

Term of Imprisonment; Credit Time; Expiration Date

**Description:**

Requires a defendant's incarceration history certificate be provided to a court prior to sentencing or resentencing. Requires a court to determine a defendant's credit time, compute the expiration date for a defendant's specified sentence, and include the expiration date in the court's judgment order.

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