

JAN 23 2020

A BILL FOR AN ACT

RELATING TO CRIMES ON AGRICULTURAL LANDS.

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 part IV to be appropriately
3 designated and to read as follows:

4 "§706- Extended terms of imprisonment for offenses
5 committed on agricultural lands. (1) The court shall sentence
6 a person who commits a crime on agricultural land to an extended
7 term of imprisonment if the person knew or reasonably should
8 have known that the crime was committed on agricultural land.

9 (2) The extended term of imprisonment shall have a maximum
10 length of imprisonment as follows:

11 (a) For murder in the second degree--life without the
12 possibility of parole;

13 (b) For a class A felony--indeterminate life term of
14 imprisonment;

15 (c) For a class B felony--indeterminate twenty-year term
16 of imprisonment;



1 (d) For a class C felony--indeterminate ten-year term of
2 imprisonment;

3 (e) For a misdemeanor--indeterminate two-year term of
4 imprisonment; and

5 (f) For a petty misdemeanor--indeterminate sixty days of
6 imprisonment.

7 (3) Notwithstanding section 706-669, the mandatory minimum
8 term of imprisonment for an extended term sentence under
9 subsection (1) shall be without the possibility of parole as
10 follows:

11 (a) For murder in the second degree--fifteen years;

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

13 (c) For a class B felony--three years, four months;

14 (d) For a class C felony--one year, eight months;

15 (e) For a misdemeanor--sixty days; and

16 (f) For a petty misdemeanor--five days.

17 (4) For the purposes of this section:

18 "Agricultural lands" means any acreage of land used
19 primarily for a farming operation, as defined in section 165-2;
20 provided that the term shall include land used for farm



1 buildings and dwellings and roads and irrigation infrastructure
2 associated with the agricultural land."

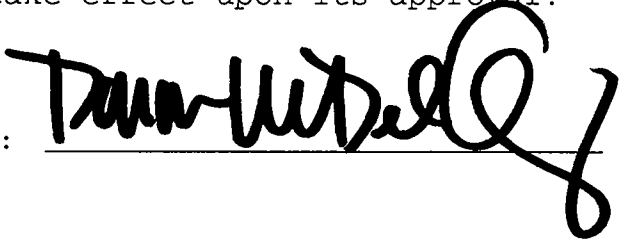
3 SECTION 2. This Act does not affect rights and duties that
4 matured, penalties that were incurred, and proceedings that were
5 begun before its effective date.

6 SECTION 3. New statutory material is underscored.

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

8

INTRODUCED BY:





S.B. NO. 2939

Report Title:

Agricultural Lands; Crimes; Extended Terms of Imprisonment

Description:

Imposes extended terms of imprisonment for crimes committed on agricultural lands.

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

