

A Bill for an Act Relating to Crimes.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 706-602, Hawaii Revised Statutes, is amended to read as follows:

“Sec. 706-602 Pre-sentence diagnosis, notice to victims, and report. The pre-sentence diagnosis and report shall be made by personnel assigned to the court, intake service center, or other agency designated by the court and shall include an analysis of the circumstances attending the commission of the crime, the defendant’s history of delinquency or criminality, physical and mental condition, family situation and background, economic status and capacity to make restitution or to make reparation to the victim or victims of his crimes for loss or damage caused thereby, education, occupation, and personal habits, and any other matters that the reporting person or agency deems relevant or the court directs to be included.

The court personnel, service center, or agency shall give notice of the Criminal Injuries Compensation Act, the application for compensation procedure, and the possibility of restitution by the defendant to all victims of the convicted defendant’s criminal acts.”

SECTION 2. Section -605, Hawaii Revised Statutes, title 37, Hawaii Penal Code, is amended by amending subsection (l) to read as follows:

“(l) Except as provided in section 606 and subject to the applicable provisions of this Code, the court may suspend the imposition of sentence on a person who has been convicted of a crime, may order him to be committed in lieu of sentence in accordance with section 607, or may sentence him as follows:

- (a) To be placed on probation as authorized by part II of this chapter; or
- (b) To pay a fine authorized by part III of this chapter; or
- (c) To be imprisoned for a term authorized by part IV of this chapter; or
- (d) To pay a fine and to probation or to pay a fine and to imprisonment, but not to probation and imprisonment, except as authorized by part II of this chapter; or
- (e) To make restitution or reparation to the victim or victims of his crime in an amount he can afford to pay, for loss or damage caused thereby in addition to paragraph (a), (b), (c), or (d) above.”

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor need not include the brackets, the bracketed material, or the underscoring.*

SECTION 4. This Act shall take effect upon its approval but shall not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

(Approved May 14, 1975.)

*Edited accordingly.