

ACT 27

H.B. NO. 207

A Bill for an Act Relating to Disposition of Defendants.

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

SECTION 1. Section 706-606, Hawaii Revised Statutes, is amended to read as follows:

**"§706-606 Sentence for offense of murder.** The court shall sentence a person who has been convicted of murder to an indeterminate term of imprisonment. In such cases the court shall impose the maximum length of imprisonment as follows:

- (a) Life imprisonment without possibility of parole in the murder of:
  - (i) A peace officer while in the performance of his duties, or
  - (ii) A person known by the defendant to be a witness in a murder prosecution, or
  - (iii) A person by a hired killer, in which event both the person hired and the person responsible for hiring the killer shall be punished under this subsection, or
  - (iv) A person while the defendant was imprisoned.
- As part of such sentence the court shall order the director of the department of social services and housing and the Hawaii paroling authority to prepare an application for the governor to commute the sentence to life with parole at the end of twenty years of imprisonment.
- (b) Life imprisonment with possibility of parole [or twenty years as the court determines,] in all other cases. The minimum length of imprisonment shall be determined by the Hawaii paroling authority in accordance with section 706-669."

SECTION 2. Statutory material to be repealed is bracketed.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 22, 1981.)