

ACT 140

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S.B. NO. 856

A Bill for an Act Relating to Organized Crime.

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

SECTION 1. Section 842-3, Hawaii Revised Statutes, is amended to read as follows:

“§842-3 Penalty; forfeiture of property. Whoever violates this chapter shall be guilty of a class B felony and shall be fined not more than \$10,000, [or imprisoned not more than ten years, or both,] and sentenced to an indeterminate term of imprisonment of ten years without possibility of suspension of sentence or probation, and shall forfeit to the State any interest or property he has acquired or maintained in violation of this chapter.

Upon conviction of a person under this chapter, the circuit court shall authorize the county attorney or prosecutor, or the attorney general, to seize all property or other interest declared forfeited under this chapter upon such terms and conditions as the court shall deem proper. The State shall dispose of all property or other interest seized under this chapter as soon as feasible making due provision for the rights of innocent persons. If a property right or other interest is not exercisable or transferable for value by the State, it shall expire, and shall not revert to the convicted person.”

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

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

(Approved June 5, 1987.)