

ACT 227

H.B. NO. 999

A Bill for an Act Relating to Organized Crime.

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. Any person who violates this chapter shall be guilty of a class B felony [and shall be fined not more than \$10,000, or 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 acquired or maintained in violation of this chapter as provided in chapter 712A.”

SECTION 2. Section 842-11, Hawaii Revised Statutes, is amended to read as follows:

“§842-11 Failure to report income; penalty. Any law to the contrary notwithstanding, no person shall [willfully] wilfully fail to report income derived, directly or indirectly, from a racketeering activity or through collection of an unlawful debt, or to pay the taxes due thereon as provided by [chapters] chapter 235

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or 237. Whoever violates this section [shall be fined not more than \$10,000 or imprisoned not more than ten years, or both,] shall be guilty of a class B felony and in addition shall be subject to any assessment and collection of taxes, penalties, and interest to which the State may be entitled under chapters 235 and 237.”

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

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved July 2, 1999.)