



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **629**

May 15, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on May 15, 2006, the following bill was signed into law:

SB2255 SD1 HD1

A BILL FOR AN ACT RELATING TO
TIME LIMITATIONS.
(ACT 99)

Sincerely,



LINDA LINGLE

Approved by the Governor
on MAY 15 2006

ACT 099

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 2255
S.D. 1
H.D. 1

A BILL FOR AN ACT

RELATING TO TIME LIMITATIONS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 701-108, Hawaii Revised Statutes, is
2 amended by amending subsection (3) to read as follows:

3 "(3) If the period prescribed in subsection (2) has
4 expired, a prosecution may nevertheless be commenced for:

5 (a) Any offense an element of which is either fraud,
6 deception, as defined in section 708-800, or a breach
7 of fiduciary obligation within three years after
8 discovery of the offense by an aggrieved party or by a
9 person who has a legal duty to represent an aggrieved
10 party and who is oneself not a party to the offense,
11 but in no case shall this provision extend the period
12 of limitation by more than six years from the
13 expiration of the period of limitation prescribed in
14 subsection (2);

15 (b) Any offense based on misconduct in office by a public
16 officer or employee at any time when the defendant is
17 in public office or employment or within two years
18 thereafter, but in no case shall this provision extend



1 the period of limitation by more than three years from
2 the expiration of the period of limitation prescribed
3 in subsection (2); and

4 (c) Any felony offense involving evidence containing
5 deoxyribonucleic acid from the offender, if a test
6 confirming the presence of deoxyribonucleic acid is
7 performed prior to expiration of the period of
8 limitation prescribed in subsection (2), but in no
9 case shall this provision extend the period of
10 limitation by more than ten years from the expiration
11 of the period of limitation prescribed in subsection
12 (2)."

13 SECTION 2. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun, before its effective date.

16 SECTION 3. New statutory material is underscored.

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



GOVERNOR OF THE STATE OF HAWAII

Approved this day: MAY 15 2006

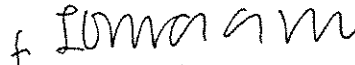
THE SENATE OF THE STATE OF HAWAII

Date: April 20, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



President of the Senate



Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES
OF THE STATE OF HAWAII**

Date: March 28, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



Speaker, House of Representatives



Clerk, House of Representatives