
A BILL FOR AN ACT

RELATING TO SEXUAL ASSAULT.

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

1 SECTION 1. Chapter 706, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§706- Enhanced sentence for repeat sexual assault of a
5 minor under the age of eleven. (a) Notwithstanding any
6 provision of law to the contrary, a person who has been
7 convicted of sexual assault in the first degree that was
8 committed against a minor under the age of eleven shall be
9 sentenced to life imprisonment without possibility of parole if
10 the person was previously convicted of the offense of sexual
11 assault in the first degree that was committed against a minor
12 under the age of eleven in this State or was previously
13 convicted in another jurisdiction of an offense that would
14 constitute sexual assault in the first degree in this State and
15 was committed against a minor under the age of eleven.

16 (b) As part of the sentence the court shall order the
17 director of public safety and the Hawaii paroling authority to
18 prepare an application for the governor to commute the sentence



1 to life imprisonment with parole at the end of twenty years of
2 imprisonment; provided that persons who are repeat offenders
3 under section 706-606.5 shall serve at least the applicable
4 mandatory minimum term of imprisonment."

5 SECTION 2. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun, before its effective date.

8 SECTION 3. New statutory material is underscored.

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

10

INTRODUCED BY:

Cindy Evans

JAN 18 2007



Report Title:

Sexual Assault; Children; Sentencing

Description:

Requires life imprisonment without parole for a second conviction of sexual assault against a minor under age 11.

