
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 as follows:

3 1. By amending subsection (2) to read:

4 "(2) Except as otherwise provided in this section,
5 prosecutions for other offenses are subject to the following
6 periods of limitation:

7 (a) A prosecution for manslaughter where the death was not
8 caused by the operation of a motor vehicle must be
9 commenced within ten years after it is committed;

10 (b) A prosecution for a class A felony must be commenced
11 within six years after it is committed; provided that
12 a prosecution for a class A felony under chapter 707,
13 part V or VI, committed when the victim was under
14 eighteen years of age, must be commenced within ten
15 years after the crime is committed or six years after
16 the day the victim turns eighteen years of age,
17 whichever is longer;



- 1 (c) A prosecution for any felony under part IX of chapter
2 708 must be commenced within five years after it is
3 committed;
- 4 (d) A prosecution for any other felony must be commenced
5 within three years after it is committed; provided
6 that a prosecution for a class B or C felony under
7 chapter 707, part V or VI, committed when the victim
8 was under eighteen years of age, must be commenced
9 within six years after it was committed or three years
10 after the day the victim turns eighteen years of age,
11 whichever is longer;
- 12 (e) A prosecution for a misdemeanor or parking violation
13 must be commenced within two years after it is
14 committed; and
- 15 (f) A prosecution for a petty misdemeanor or a violation
16 other than a parking violation must be commenced
17 within one year after it is committed."
- 18 2. By amending subsection (6) to read:
- 19 "(6) The period of limitation does not run:
- 20 (a) During any time when the accused is continuously
21 absent from the State or has no reasonably
22 ascertainable place of abode or work within the State,



1 but in no case shall this provision extend the period
2 of limitation by more than four years from the
3 expiration of the period of limitation prescribed in
4 subsection (2); or

5 (b) During any time when a prosecution against the accused
6 for the same conduct is pending in this State[~~+~~ ~~or~~

7 ~~(c) For any felony offense under chapter 707, part V or~~
8 ~~VI, during any time when the victim is alive and under~~
9 ~~eighteen years of age]."~~

10 SECTION 2. This Act applies to all acts whether occurring
11 before or after its effective date.

12 SECTION 3. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on January 1, 2112.



Report Title:

Statute of Limitations; Sex Crimes

Description:

Extends the statute of limitations for prosecution of class A, B, and C felony sexual offenses committed against minors. (HB583 HD1)

