STAND. COM. REP. NO. 2541

Honolulu, Hawaii

FEB 2 8 2008

RE: S.B. No. 2301 S.D. 1

Honorable Colleen Hanabusa President of the Senate Twenty-Fourth State Legislature Regular Session of 2008 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 2301 entitled:

"A BILL FOR AN ACT RELATING TO CRITERIA FOR EXTENDED TERMS OF IMPRISONMENT,"

begs leave to report as follows:

The purpose of this measure is to authorize extended terms of imprisonment for convicted felons who inflict serious or substantial bodily injury to pregnant women in the course of committing certain specified felonies.

Your Committee received testimony in support of the measure from the Department of the Prosecuting Attorney of the City and County of Honolulu and a concerned citizen. Testimony in opposition to the measure was received from a concerned citizen. Comments on the measure were received from the Office of the Public Defender.

Your Committee finds that this measure closes a judicially created loophole under which no criminal liability would attach to an offender for offenses committed against an unborn child.

Your Committee has amended this measure by correcting and updating the statutory text to reflect the amendment that was made to the text during the Second Special Session of 2007.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report,

SB2301 SD1 SSCR LRB 08-1743.doc



your Committee is in accord with the intent and purpose of S.B. No. 2301, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2301, S.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

BRIAN T. TANIGUCHI, Chair

The Senate Twenty-Fourth Legislature State of Hawaii

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:* SB 2301	Committee Referral:			Date: 2 - 12 - 28	
The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)		<u> </u>			
HEE, Clayton (VC)					
GABBARD, Mike					
KOKUBUN, Russell S.					
NISHIHARA, Clarence K.					
SLOM, Sam		V			
TOTAL		5	∂	0	
Recommendation: Adopted Not Adopted					
Chair's on Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

^{*}Only one measure per Record of Votes