

JAN 23 2009

A BILL FOR AN ACT

RELATING TO PUBLIC SAFETY.

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

SECTION 1. Part IV of chapter 706, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§706- Credit for time served; short-term sentences of imprisonment. When a defendant has been sentenced to a term of imprisonment of thirty days or less, the defendant shall receive credit for time served only for the amount of time the defendant has actually been detained in any correctional or other institution following the defendant's arrest for the crime for which sentence is imposed. In determining the time of the defendant's release, the department of public safety shall calculate the prior period of detention to the nearest hour. In making this calculation, the department of public safety shall not round up to the nearest day."

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



1 SECTION 3. New statutory material is underscored.

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

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Report Title:

Public Safety; Sentencing

Description:

Adds a new section to part IV of chapter 706, Hawaii Revised Statutes, that specifies that, in sentences of imprisonment of 30 days or less, defendants shall only receive credit for time served for the actual amount of time spent in custody.

