Honolulu, Hawaii

APR 2 6 2012

, 2012

RE:

S.B. No. 2056

H.D. 2 C.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2056, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to require a defendant's probation officer to provide the court information regarding the defendant's compliance or non-compliance with probation prior to the court determining whether to grant an early discharge from probation.

Your Committee on Conference finds that under existing law, the court may grant early discharge from probation without input from a defendant's probation officer regarding that defendant's compliance with probation terms. This measure serves as an additional tool for the courts to use in their assessment and determination of whether a defendant should be discharged from probation early.

Your Conference on Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2012; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2056, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2056, H.D. 2, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

GILBERT KEITH-AGARAN Co-Chair

SHARON E. HAR, Co-Chair

T.AVAN HEE Chair

Hawaii State Legislature

CCR 73-12

Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 2056, HD 2					Date/Time: APRI 24, 2012 2:30 pm				
The recommendation of the House	and a	Senate	mana	gers	is to pass with amendments (CD).				
The Committee is reconsidering it	s prev	ious de	ecisio	n.					
The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	Е	House Managers	A	, WR	N	E
HEE, Clayton, Chr.	t/				KEITH-AGARAN, Gilbert S.C., Co-Chr.	1			
SHIMABUKURO, Maile S.L.	V				HAR, Sharon E., Co-Chr.				
SLOM, Sam					LUKE, Sylvia				/
					MIZUNO, John M.				/
					THIELEN, Cynthia				
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						<u> </u>			
TOTAL	2			1	TOTAL	3			2
A = Aye WR	k = Ay	e with I	Reserv	ation	s $N = Nay$ E	= Exc	used		
Senate Recommendation is:				House Recommendation is:					
Adopted Not Adopted				Adopted Dot Adopted					
Senate Lead Chair's or Designee's Signature:				House Lead Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenroom File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Age									сy