
A BILL FOR AN ACT

RELATING TO SENTENCING.

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- Mandatory minimum sentence of imprisonment for a
5 class A felony first degree sexual assault against
6 children.

7 (1) Notwithstanding any provision of chapter 706 to the
8 contrary, a person convicted of sexual assault in the first
9 degree under section 707-730(1)(b) shall be sentenced to a
10 mandatory minimum term of imprisonment, without the
11 possibility of parole, for a period of twenty years.

12 (2) This section shall not apply to:

13 (a) Convicted defendants who are minors;

14 (b) Convicted defendants who are severely developmentally
15 disabled; or

16 (c) Convicted defendants who have shown by clear and
17 convincing evidence that prior to the commission of the
18 offense:



1 (i) the minor victim purported to be at least sixteen
2 years; and

3 (ii) displayed photographic government issued
4 identification corroborating the minor victim's age was at
5 least sixteen years.

6 (3) A person sentenced to a minimum sentence pursuant to
7 this section may not be released, paroled, or allowed any term
8 of suspended sentence during the minimum term of the person's
9 sentence."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 
JAN 24 2017



H.B. NO. 1203

Report Title:

Felony sexual assault of a minor less than fourteen years;
mandatory minimum sentencing

Description:

Establishes a mandatory minimum sentence of twenty years for class A felony of first degree sexual assault of a minor who is less than fourteen years of age.

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