
A BILL FOR AN ACT

RELATING TO OFFENSES AGAINST PROPERTY RIGHTS.

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

SECTION 1. Chapter 706, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

"§706- Enhanced sentencing for property rights offenses committed against nonprofit entities. Notwithstanding any other law to the contrary, the court shall sentence a defendant convicted of an offense under chapter 708 against a nonprofit entity as follows:

(1) If the offense was a violation, the defendant shall be sentenced for a petty misdemeanor;

(2) If the offense was a petty misdemeanor, the defendant shall be sentenced for a misdemeanor;

(3) If the offense was a misdemeanor, the defendant shall be sentenced for a class C felony;

(4) If the offense was a class C felony, the defendant shall be sentenced for a class B felony;



1 (5) If the offense was a class B felony, the defendant

2 shall be sentenced for a class A felony; and

3 (6) If the offense was a class A felony, the defendant

4 shall be sentenced to an indeterminate life term of

5 imprisonment.

6 As used in this section, "nonprofit entity" means any charitable

7 organization operating pursuant to Title 26 United States Code

8 section 501(c)(3), (4), (8), (9), (26), or 501(e) and registered

9 pursuant to chapter 414D."

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

13 SECTION 3. New statutory material is underscored.

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

15 INTRODUCED BY:



JAN 19 2018



H.B. NO. 2074

Report Title:

Penal Code; Property Rights; Sentencing; Nonprofit Entity

Description:

Enhances sentencing for defendants convicted of committing an offense under chapter 708 against a nonprofit entity.

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