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## A BILL FOR AN ACT

RELATING TO ABUSE OF FAMILY OR HOUSEHOLD MEMBER.

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

1           SECTION 1. Section 706-606.5, Hawaii Revised Statutes, is  
2 amended by amending section (1) to read as follows:

3           "(1) Notwithstanding section 706-669 and any other law to  
4 the contrary, any person convicted of murder in the second  
5 degree, any class A felony, any class B felony, or any of the  
6 following class C felonies:

7           (a) Section 134-7 relating to persons prohibited from  
8 owning, possessing, or controlling firearms or  
9 ammunition;

10          (b) Section 134-8 relating to ownership, etc., of certain  
11 prohibited weapons;

12          (c) Section 134-17 only as it relates to providing false  
13 information or evidence to obtain a permit under  
14 section 134-9;

15          (d) Section 188-23 relating to possession or use of  
16 explosives, electrofishing devices, and poisonous  
17 substances in state waters;



- 1 (e) Section 386-98(d)(1) relating to fraud violations and  
2 penalties;
- 3 (f) Section 431:2-403(b)(2) relating to insurance fraud;
- 4 (g) Section 707-703 relating to negligent homicide in the  
5 second degree;
- 6 (h) Section 707-711 relating to assault in the second  
7 degree;
- 8 (i) Section 707-713 relating to reckless endangering in  
9 the first degree;
- 10 (j) Section 707-716 relating to terroristic threatening in  
11 the first degree;
- 12 (k) Section 707-721 relating to unlawful imprisonment in  
13 the first degree;
- 14 (l) Section 707-732 relating to sexual assault in the  
15 third degree;
- 16 (m) Section 707-752 relating to promoting child abuse in  
17 the third degree;
- 18 (n) Section 707-757 relating to electronic enticement of a  
19 child in the second degree;
- 20 (o) Section 707-766 relating to extortion in the second  
21 degree;



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- 1           (p) Section 708-811 relating to burglary in the second
- 2                   degree;
- 3           (q) Section 708-821 relating to criminal property damage
- 4                   in the second degree;
- 5           (r) Section 708-831 relating to theft in the second
- 6                   degree;
- 7           (s) Section 708-835.5 relating to theft of livestock;
- 8           (t) Section 708-836 relating to unauthorized control of
- 9                   propelled vehicle;
- 10          (u) Section 708-839.55 relating to unauthorized possession
- 11                   of confidential personal information;
- 12          (v) Section 708-839.8 relating to identity theft in the
- 13                   third degree;
- 14          (w) Section 708-852 relating to forgery in the second
- 15                   degree;
- 16          (x) Section 708-854 relating to criminal possession of a
- 17                   forgery device;
- 18          (y) Section 708-875 relating to trademark counterfeiting;
- 19          (z) Section 709-906(7), (8), or (9) relating to abuse of a
- 20                   family or household member;



1           ~~[-(z)]~~ (aa) Section 710-1071 relating to intimidating a  
2           witness;

3           ~~[-(aa)]~~ (bb) Section 711-1103 relating to riot;

4           ~~[-(bb)]~~ (cc) Section 712-1221 relating to promoting gambling  
5           in the first degree;

6           ~~[-(ee)]~~ (dd) Section 712-1224 relating to possession of  
7           gambling records in the first degree;

8           ~~[-(dd)]~~ (ee) Section 712-1247 relating to promoting a  
9           detrimental drug in the first degree; or

10          ~~[-(ee)]~~ (ff) Section 846E-9 relating to failure to comply  
11          with covered offender registration requirements,  
12          or who is convicted of attempting to commit murder in the second  
13          degree, any class A felony, any class B felony, or any of the  
14          class C felony offenses enumerated above and who has a prior  
15          conviction or prior convictions for the following felonies,  
16          including an attempt to commit the same: murder, murder in the  
17          first or second degree, a class A felony, a class B felony, any  
18          of the class C felony offenses enumerated above, or any felony  
19          conviction of another jurisdiction, shall be sentenced to a  
20          mandatory minimum period of imprisonment without possibility of  
21          parole as provided in subsection (2)."



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

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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

7

INTRODUCED BY:                     *Ben*                      
By Request

JAN 21 2021



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**Report Title:**

Honolulu Prosecuting Attorney Package; Repeat Offenders; Abuse of Family or Household Member; Penalties

**Description:**

Adds abuse of a family or household member to those felonies that qualify for repeat offender sentencing.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

