
A BILL FOR AN ACT

RELATING TO THEFT.

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

1 SECTION 1. The legislature finds that most motor vehicle
2 thefts are currently prosecuted under the Hawaii Penal Code
3 offenses of unauthorized control of a propelled vehicle or theft
4 in the second degree, for property the value of which exceeds
5 \$750. Both of these offenses are class C felonies, with a
6 maximum penalty of up to \$10,000 and five years of imprisonment.

7 The legislature further finds that the public's growing
8 concerns over motor vehicle theft have led to a desire for
9 stiffer penalties. Including theft of a motor vehicle under
10 theft in the first degree will elevate the offense to a class B
11 felony, with a maximum penalty of up to \$25,000 and ten years of
12 imprisonment.

13 The purpose of this Act is to add theft of a motor vehicle
14 or motorcycle to the offense of theft in the first degree.

15 SECTION 2. Section 708-830.5, Hawaii Revised Statutes, is
16 amended by amending subsection (1) to read as follows:



- 1 "(1) A person commits the offense of theft in the first
2 degree if the person commits theft of:
- 3 (a) Property or services, the value of which exceeds
4 \$20,000;
- 5 (b) A firearm;
- 6 (c) Dynamite or other explosive;
- 7 (d) Property or services during an emergency period
8 proclaimed by the governor or mayor pursuant to
9 chapter 127A, within the area covered by the emergency
10 or disaster under chapter 127A, the value of which
11 exceeds \$300;
- 12 (e) Property from the person of another who is sixty years
13 of age or older and the age of the property owner is
14 known or reasonably should be known to the person who
15 commits theft; [~~e~~]
- 16 (f) Property or services, the value of which exceeds \$750,
17 from a person who is sixty years of age or older and
18 the age of the property owner is known or reasonably
19 should be known to the person who commits theft[-]; or
- 20 (g) A motor vehicle or motorcycle as defined in section
21 291C-1."



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 Statutory material to be repealed is bracketed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

6 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Theft in the First Degree; Motor Vehicles; Motorcycles

Description:

Amends the offense of theft in the first degree to specifically include theft of a motor vehicle or motorcycle. (SD1)

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