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# A BILL FOR AN ACT

RELATING TO SENTENCING.

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

1           SECTION 1. The legislature finds that through a court  
2 decision, Massachusetts became the first state to ban life  
3 without parole sentences for individuals eighteen years old  
4 through twenty years old, considering those in this age group to  
5 be "emerging adults". The court extended the bright line age  
6 cut-off from eighteen years of age to twenty years of age, in  
7 part, due to neuroscience research that supports that brain  
8 maturation continues through an individual's mid-twenties.

9           The purpose of this Act is to prohibit life without parole  
10 sentences for emerging adult defendants between eighteen and  
11 twenty-one years of age.

12           SECTION 2. Chapter 706, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15           "§706- Emerging adult defendants. (1) Notwithstanding  
16 any other law to the contrary, no emerging adult defendant shall



1 be sentenced to life imprisonment without the possibility of  
2 parole.

3 (2) For the purposes of this section, "emerging adult  
4 defendant" means a person convicted of a crime who, at the time  
5 of the offense, is over eighteen years of age and less than  
6 twenty-one years of age."

7 SECTION 3. New statutory material is underscored.

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



**Report Title:**

Emerging Adult Defendant; Sentencing; Life Without Parole;  
Minors; Penal Code

**Description:**

Prohibits emerging adult defendants from being sentenced to life imprisonment without the possibility of parole. (SD1)

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

