
A BILL FOR AN ACT

RELATING TO PENALTIES.

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

SECTION 1. Section 708-803, Hawaii Revised Statutes, is amended to read as follows:

"§708-803 Habitual property crime. (1) A person commits the offense of habitual property crime if the person is a habitual property crime perpetrator and commits a property crime.

(2) For the purposes of this section, "habitual property crime perpetrator" means a person who, within ten years of the instant offense, has convictions for offenses within this chapter for:

(a) Any combination of two felonies or misdemeanors; or

(b) Any combination of either one felony or one misdemeanor and one petty misdemeanor; or

(c) Three petty misdemeanors.

The convictions shall be for separate incidents on separate dates. The prosecution is not required to prove any state of mind with respect to the person's status as a habitual property



1 crime perpetrator. Proof that the person has the requisite
2 minimum prior convictions shall be sufficient to establish this
3 element.

4 (3) A person commits a property crime if the person
5 engages in conduct that constitutes an offense under this
6 chapter. It can be established that the person has committed a
7 property crime by either the prosecution proving that the person
8 is guilty of or by the person pleading guilty or no contest to
9 committing any offense under this chapter.

10 (4) Habitual property crime is a class [C] B felony.

11 (5) For a conviction under this section, the sentence
12 shall be either:

13 (a) An indeterminate term of imprisonment of [~~five~~] ten
14 years; provided that the minimum term of imprisonment
15 shall be not less than [~~one year~~] five years; or

16 (b) A term of probation of [~~five~~] ten years, with
17 conditions to include but not be limited to [~~one year~~]
18 five years of imprisonment; provided that probation
19 shall only be available for a first conviction under
20 this section."



1 SECTION 2. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 3. This Act shall take effect on July 1, 2026.

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INTRODUCED BY:



JAN 27 2026



H.B. NO. 2390

Report Title:

Habitual Property Crime; Sentencing; Felony; Penalties; Theft

Description:

Increases the offense of habitual property crime from a class C felony to a class B felony. Increases the sentencing structure for convictions of habitual property crime.

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