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

4           "§706-           Limitation on term of imprisonment for offenses

5 punishable by up to or not exceeding one year; sentence

6 modification.   (1) Notwithstanding any other law to the

7 contrary, any offense punishable under state law by a term of

8 imprisonment up to or not exceeding one year shall be punishable

9 by a term of imprisonment not to exceed three hundred sixty-four

10 days.

11           (2) A person who was sentenced to a term of imprisonment

12 of one year before the effective date of this Act may submit an

13 application to the trial court that entered the judgment of

14 conviction to modify the sentence to a term not to exceed the

15 maximum term specified in subsection (1)."

16           SECTION 2. Section 706-663, Hawaii Revised Statutes, is

17 amended to read as follows:



1           "§706-663 Sentence of imprisonment for misdemeanor and  
2 petty misdemeanor. After consideration of the factors set forth  
3 in sections 706-606 and 706-621, the court may sentence a person  
4 who has been convicted of a misdemeanor or a petty misdemeanor  
5 to imprisonment for a definite term to be fixed by the court and  
6 not to exceed [~~one year~~] three hundred sixty-four days in the  
7 case of a misdemeanor or thirty days in the case of a petty  
8 misdemeanor."

9           SECTION 3. Statutory material to be repealed is bracketed  
10 and stricken. New statutory material is underscored.

11          SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Penal Code; Misdemeanors; Sentencing

**Description:**

Limits the maximum term of imprisonment for misdemeanors, or for offenses punishable by up to or not exceeding one year, to three hundred sixty-four days. Allows individuals previously sentenced to a one-year term of imprisonment to apply to the court for a sentence modification to conform to the new limit. Effective 7/1/3000. (HD1)

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

