

ACT 284

S.B. NO. 2565

A Bill for an Act Relating to Uniform Controlled Substance.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Chapter 712, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§712- Promoting a controlled substance in, on or near schools.** (1) A person commits the offense of promoting a controlled substance in, on or near schools if he knowingly:

- (a) Distributes a controlled substance in any amount in or on the real property comprising a public or private elementary or secondary school; or
- (b) Distributes a controlled substance in any amount within seven hundred and fifty feet of the real property comprising a public or private elementary or secondary school.

(2) Promoting a controlled substance in, on, or near schools is a class C felony.

(3) Any person with prior conviction or convictions under this section is punishable by a term of imprisonment of not less than two years and not more than ten years:

- (a) Any individual convicted under subsection (3) of this section shall not be eligible for parole until the individual has served the minimum sentence required by such subsection.”

SECTION 2. New statutory material is underscored.<sup>1</sup>

**SECTION 3.** This Act shall take effect upon its approval.  
(Approved June 13, 1988.)

**Note**

1. Edited pursuant to HRS §23G-16.5.