

ACT 194

S.B. NO. 213

A Bill for an Act Relating to the Hawaii Penal Code.

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

SECTION 1. Section 706-668.5, Hawaii Revised Statutes, is amended to read as follows:

“§706-668.5 Multiple sentence of imprisonment. (1) If multiple terms of imprisonment are imposed on a defendant, whether at the same time or at different times, or if a term of imprisonment is imposed on a defendant who is already subject to an unexpired term of imprisonment, the terms may run concurrently or consecutively. Multiple terms of imprisonment run concurrently unless the court orders or the statute mandates that the terms run consecutively.

(2) The court, in determining whether the terms imposed are to be ordered to run concurrently or consecutively, shall consider the factors set forth in section 706-606.

(3) For terms of imprisonment imposed prior to June 18, 2008, the department of public safety shall post written notice in all inmate housing units and the facility library at each correctional facility for a period of two months and send written notice to the defendant no later than January 1, 2016, that shall include but not be limited to:

- (a) Notice that the department of public safety may recalculate the multiple terms of imprisonment imposed on the defendant; and
- (b) Notice of the defendant’s right to have the court review the defendant’s sentence.”

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2015.

(Approved July 1, 2015.)