

JAN 21 2011

# A BILL FOR AN ACT

RELATING TO THE HAWAII PENAL CODE.

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

1           SECTION 1. The legislature finds that, under Act 193,  
2 Session Laws of Hawaii 2008, the office of offender management  
3 of the department of public safety has been recalculating the  
4 expiration date of all Hawaii inmates serving multiple terms of  
5 imprisonment. The recalculation has drastically increased the  
6 cost of incarceration because, in many cases, the recalculation  
7 has increased extended expiration dates by several years,  
8 without accounting for the rehabilitation of the individual.

9           This action has and will cost the State's taxpayers  
10 hundreds of thousands of dollars. It has also increased costs  
11 for the office of the public defender, which handles the claims  
12 of incarcerated individuals on a case-by-case basis.

13           The purpose of this Act is to allow for retroactive  
14 application of the requirement that multiple terms of  
15 imprisonment run concurrently unless otherwise directed by law  
16 or court order.

17           SECTION 2. Act 193, Session Laws of Hawaii 2008, is  
18 amended by amending section 3 to read as follows:



1           "SECTION 3. This Act shall apply to all terms of  
2 imprisonment imposed [~~en or after~~] before, on, or after the  
3 effective date of this Act."

4           SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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**Report Title:**

Hawaii Penal Code; Concurrent Imprisonment Terms

**Description:**

Authorizes retroactive application of the requirement that multiple terms of imprisonment run concurrently unless directed to run consecutively by law or court order.

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

