



GOV. MSG. NO. 1123

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 17, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

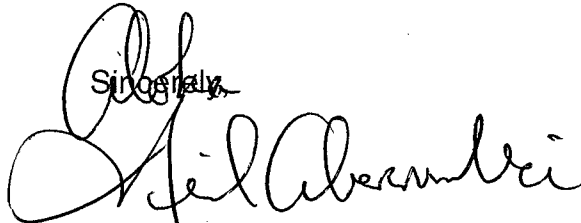
The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 17, 2012, the following bill was signed into law:

SB2650 SD1

RELATING TO THE PROMOTION OF
CONTROLLED SUBSTANCES.
Act 023 (12)

~~Sincerely,~~


NEIL ABERCROMBIE
Governor, State of Hawaii

Approved by the Governor

on APR 17 2012

THE SENATE
TWENTY-SIXTH LEGISLATURE, 2012
STATE OF HAWAII

AC 133
S.B. NO. 2650
S.D. 1

A BILL FOR AN ACT

RELATING TO PROMOTION OF CONTROLLED SUBSTANCES.

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

1 SECTION 1. Section 712-1249.6, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§712-1249.6 Promoting a controlled substance in, on, or
4 near schools, school vehicles, [~~e~~] public parks[~~r~~], or public
5 housing projects or complexes. (1) A person commits the
6 offense of promoting a controlled substance in, on, or near
7 schools, school vehicles, [~~e~~] public parks, or public housing
8 projects or complexes if the person knowingly:

9 (a) Distributes or possesses with intent to distribute a
10 controlled substance in any amount in or on the real
11 property comprising a school, [~~e~~] public park[~~r~~], or
12 public housing project or complex;

13 (b) Distributes or possesses with intent to distribute a
14 controlled substance in any amount within seven
15 hundred and fifty feet of the real property comprising
16 a school, [~~e~~] public park[~~r~~], or public housing
17 project or complex;



1 (c) Distributes or possesses with intent to distribute a
2 controlled substance in any amount while on any school
3 vehicle, or within ten feet of a parked school vehicle
4 during the time that the vehicle is in service for or
5 waiting to transport school children; or

6 (d) Manufactures methamphetamine or any of its salts,
7 isomers, and salts of isomers, within seven hundred
8 and fifty feet of the real property comprising a
9 school, ~~[or]~~ public park[-], or public housing project
10 or complex.

11 (2) A person who violates subsection (1)(a), (b), or (c)
12 is guilty of a class C felony. A person who violates subsection
13 (1)(d) is guilty of a class A felony.

14 (3) Any person with prior conviction or convictions under
15 subsection (1)(a), (b), or (c) is punishable by a term of
16 imprisonment of not less than two years and not more than ten
17 years.

18 (4) Any individual convicted under subsection (3) of this
19 section shall not be eligible for parole until the individual
20 has served the minimum sentence required by such subsection.

1 (5) For the purposes of this section, "school vehicle"
2 means every school vehicle as defined in section 286-181 and any
3 regulations adopted pursuant to that section.

4 (6) For purposes of this section, "school" means any
5 public or private preschool, kindergarten, elementary,
6 intermediate, middle secondary, or high school.

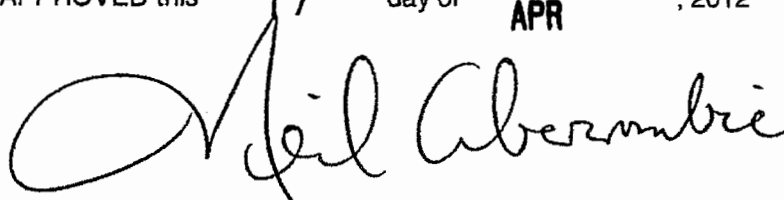
7 (7) For purposes of this section, "public housing project
8 or complex" means a housing project directly controlled, owned,
9 developed, or managed by the Hawaii public housing authority
10 pursuant to the federal or state low-rent public housing
11 program."

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

APPROVED this 17 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII