THE SENATE
TWENTY-EIGHTH LEGISLATURE, 2015
STATE OF HAWAII

S.B. NO.   213
S.D. 2
H.D. 3

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.   Section 706-668.5, Hawaii Revised Statutes, is

2 amended to read as follows:

3   **"§706-668.5 Multiple sentence of imprisonment.** (1)   If

4 multiple terms of imprisonment are imposed on a defendant,

5 whether at the same time or at different times, or if a term of

6 imprisonment is imposed on a defendant who is already subject to

7 an unexpired term of imprisonment, the terms may run

8 concurrently or consecutively. Multiple terms of imprisonment

9 run concurrently unless the court orders or the statute mandates

10 that the terms run consecutively.

11   (2)   The court, in determining whether the terms imposed

12 are to be ordered to run concurrently or consecutively, shall

13 consider the factors set forth in section 706-606.

14   (3)   For terms of imprisonment imposed prior to June 18,

15 2008, the department of public safety shall send written notice

16 to the defendant within six months of the effective date of Act

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1   , Session Laws of Hawaii 2015, that shall include but not be

2 limited to:

3   (a) Notice that the department of public safety may

4   recalculate the multiple terms of imprisonment imposed

5   on the defendant; and

6   (b) Notice of the defendant's right to have the court

7   review the defendant's sentence."

8   SECTION 2. New statutory material is underscored.

9   SECTION 3. This Act shall take effect on July 1, 2030.

Report Title:
Penal Code; Multiple Sentences of Imprisonment

Description:
Requires the Department of Public Safety to send written notice to defendants with terms of imprisonment imposed prior to June 18, 2008, to notify these defendants that the department may recalculate their multiple terms of imprisonment and of their rights to have the court review their sentences. (SB213 HD3)

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