

GOV. MSG. NO. 1259

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 29, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 29, 2016, the following bill was signed into law:

HB1517 HD1 SD1 CD1

RELATING TO SENTENCING
ACT 157 (16)

Sincerely,

A handwritten signature in black ink that reads "David Y. Ige".

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO SENTENCING.

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

1 SECTION 1. Section 706-606.4, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§706-606.4 Sentencing in enumerated offenses [~~involving~~
4 ~~abuse of a family or household member~~] committed in the presence
5 of a minor. (1) In addition to the factors considered under
6 section 706-606, the court shall consider the following
7 aggravating factors in determining the particular sentence to be
8 imposed:

9 (a) The defendant has been convicted of committing or
10 attempting to commit an offense [~~involving abuse of a~~
11 ~~family or household member,~~

12 ~~(b) The defendant is or has been a family or household~~
13 ~~member of either a minor referred to in paragraph (c)~~
14 ~~or the victim of the offense]; and~~

15 [~~(e)~~] (b) The offense contemporaneously occurred in the
16 presence of a minor.

17 (2) As used in this section:



1 ~~["Family or household member" has the same meaning as~~
2 ~~defined in section 709-906.]~~

3 "In the presence of a minor" means in the actual physical
4 presence of a child or knowing that a child is present and may
5 hear or see the offense.

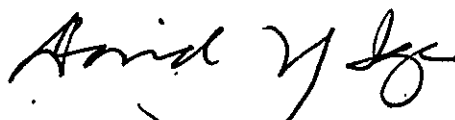
6 "Offense" means a violation of section 707-710 (assault in
7 the first degree), 707-711 (assault in the second degree), 707-
8 730 (sexual assault in the first degree), 707-731 (sexual
9 assault in the second degree), 707-732 (sexual assault in the
10 third degree), or 709-906 (abuse of family or household
11 members)."

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 29 day of JUN , 2016



GOVERNOR OF THE STATE OF HAWAII

