



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 29, 2018

GOV. MSG. NO. 1203

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

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

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

This is to inform you that on June 29, 2018, the following bill was signed into law:

HB1667 HD1 SD1

RELATING TO PROBATION
ACT 102 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

ORIGINAL

Approved by the Governor

on JUN 29 2018

HOUSE OF REPRESENTATIVES
TWENTY-NINTH LEGISLATURE, 2018
STATE OF HAWAII

ACT 102

H.B. NO.

1667
H.D. 1
S.D. 1

A BILL FOR AN ACT

RELATING TO PROBATION.

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

1 SECTION 1. Section 706-622.5, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:
3 "(1) Notwithstanding section 706-620(3), a person
4 convicted for the first or second time for any offense under
5 section 329-43.5, except offenses under subsections (a) and (b)
6 of that section which constitute violations, involving the
7 possession or use of drug paraphernalia or any felony offense
8 under part IV of chapter 712 involving the possession or use of
9 any dangerous drug, detrimental drug, harmful drug, intoxicating
10 compound, marijuana, or marijuana concentrate, as defined in
11 section 712-1240, but not including any offense under part IV of
12 chapter 712 involving the distribution or manufacture of any
13 such drugs or substances and not including any methamphetamine
14 offenses under sections 712-1240.7, 712-1240.8 as that section
15 was in effect prior to July 1, 2016, 712-1241, and 712-1242, is
16 eligible to be sentenced to probation under subsection (2) if
17 the person meets the following criteria:



- 1 (a) The court has determined that the person is nonviolent
2 after reviewing the person's criminal history, the
3 factual circumstances of the offense for which the
4 person is being sentenced, and any other relevant
5 information;
- 6 (b) The person has been assessed by a certified substance
7 abuse counselor to be in need of substance abuse
8 treatment due to dependency or abuse under the
9 applicable Diagnostic and Statistical Manual and
10 Addiction Severity Index; and
- 11 (c) Except for those persons directed to substance abuse
12 treatment under the supervision of the drug court, the
13 person presents a proposal to receive substance abuse
14 treatment in accordance with the treatment plan
15 prepared by a certified substance abuse counselor
16 through a substance abuse treatment program that
17 includes an identified source of payment for the
18 treatment program."

19 SECTION 2. New statutory material is underscored.

20 SECTION 3. This Act shall take effect on July 1, 2018.



H.B. NO. 1667
H.D. 1
S.D. 1

APPROVED this 29 day of JUN, 2018

A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a large, sweeping flourish at the end.

GOVERNOR OF THE STATE OF HAWAII

HB No. 1667, HD 1, SD 1

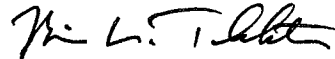
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives

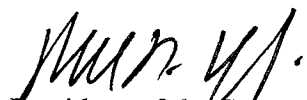


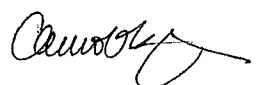
Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: March 23, 2018
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate