

STAND. COM. REP. NO. 649

Honolulu, Hawaii  
Feb 16, 2007

RE: H.B. No. 1260

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1260  
entitled:

"A BILL FOR AN ACT RELATING TO SENTENCING,"

begs leave to report as follows:

The purpose of this measure is to restore the court's  
authority to order a mental or medical examination of a defendant  
pending sentencing.

Your Committee received testimony in support of this measure  
from the Attorney General and the Prosecuting Attorney for the  
City and County of Honolulu.

Your Committee notes that the authority for presentence  
mental or medical examinations, originally established in 1972,  
was inadvertently repealed when section 706-603, Hawaii Revised  
Statutes, was amended in 2005 as part of legislation that enacted  
a comprehensive forensic DNA identification statute.

By restoring the authority for presentence mental or medical  
examinations, this measure allows the court to better evaluate  
certain defendants to determine the most appropriate sentence.


As affirmed by the record of votes of the members of your  
Committee on Health that is attached to this report, your  
Committee is in accord with the intent and purpose of H.B. No.  
1260 and recommends that it pass Second Reading and be referred to  
the Committee on Judiciary.

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Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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JOSHUA B. GREEN, M.D., Chair



