
A BILL FOR AN ACT

RELATING TO BRUSH FIRES.

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

1 SECTION 1. Chapter 708, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 **"708- Special sentencing considerations for arson; other**
5 **actions not prohibited.** In addition to any other penalty
6 imposed, a person convicted of arson involving fire set to
7 brush, grass, vegetation on the land resulting in damage to
8 10,000 square feet of property, may be required to:

- 9 (a) Pay any costs associated with extinguishing the fire;
10 and
11 (b) Perform community service work in the region in which
12 the property damage occurred.

13 With regard to any fire or monetary penalty that may be imposed
14 on a minor convicted or adjudicated for an offense of arson, the
15 parents or legal guardians of the minor shall be liable for the
16 percentage of costs associated with extinguishing the fire based
17 upon the apportionment of fire damage to real or personal
18 property caused by the minor as a result of committing the



1 offense of arson, regardless of whether the property is publicly
2 or privately owned.

3 Nothing in this section shall prohibit a separate criminal
4 action being brought by the State or a civil action being
5 brought by the State or a third party for conduct that
6 constitutes an offense of arson."

7 SECTION 2. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun, before its effective date.

10 SECTION 3. New statutory material is underscored.

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

Report Title:

Crimes; Brush Fires; Parental Liability

Description:

Permits court to assess defendant for cost of fighting fire.
Makes parent or guardian liable for the cost of extinguishing
the fire based upon the percentage of damage done by the minor.
(CD1)

