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# A BILL FOR AN ACT

RELATING TO CRIMINAL PROPERTY DAMAGE.

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

1 SECTION 1. Section 708-820, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:

3 "(1) A person commits the offense of criminal property  
4 damage in the first degree if by means other than fire:

5 (a) The person intentionally or knowingly damages property  
6 and thereby recklessly places another person in danger  
7 of death or bodily injury;

8 (b) The person intentionally or knowingly damages the  
9 property of another, without the other's consent, in  
10 an amount exceeding \$20,000;

11 (c) The person intentionally or knowingly damages the  
12 property of another during the time of a civil defense  
13 emergency proclaimed by the governor pursuant to  
14 chapter 128, within the area covered by the civil  
15 defense emergency or during the period of disaster  
16 relief under chapter 127; or

17 [+](d)[+] The person intentionally or knowingly damages the  
18 agricultural equipment, supplies, or products or



1           aquacultural equipment, supplies, or products of  
2           another, including trees, bushes, or any other plant  
3           and livestock of another, without the other's consent,  
4           in an amount exceeding \$1,500. In calculating the  
5           ~~[value of damage, the value of future crops that were~~  
6           ~~damaged is included.]~~ amount of damages to  
7           agricultural products, the amount of damages includes  
8           future losses and the loss of future production."

9           SECTION 2. Section 708-821, Hawaii Revised Statutes, is  
10          amended by amending subsection (1) to read as follows:

11          "(1) A person commits the offense of criminal property  
12          damage in the second degree if by means other than fire:

13          (a) The person intentionally or knowingly damages the  
14          property of another, without the other's consent, by  
15          the use of widely dangerous means;

16          (b) The person intentionally or knowingly damages the  
17          property of another, without the other's consent, in  
18          an amount exceeding \$1,500; or

19          (c) The person intentionally or knowingly damages the  
20          agricultural equipment, supplies, or products or  
21          aquacultural equipment, supplies, or products of  
22          another, including trees, bushes, or any other plant



1 and livestock of another, without the other's consent,  
2 in an amount exceeding \$500. In calculating the  
3 ~~[value of damage, the value of future crops that were~~  
4 ~~damaged is included.]~~ amount of damages to  
5 agricultural products, the amount of damages includes  
6 future losses and the loss of future production."

7 SECTION 3. Section 708-822, Hawaii Revised Statutes, is  
8 amended by amending subsection (1) to read as follows:

9 "(1) A person commits the offense of criminal property  
10 damage in the third degree if by means other than fire:

11 (a) The person recklessly damages the property of another,  
12 without the other's consent, by the use of widely  
13 dangerous means;

14 (b) The person intentionally or knowingly damages the  
15 property of another, without the other's consent, in  
16 an amount exceeding \$500; or

17 (c) The person intentionally damages the agricultural  
18 equipment, supplies, or products or aquacultural  
19 equipment, supplies, or products of another, including  
20 trees, bushes, or any other plant and livestock of  
21 another, without the other's consent, in an amount  
22 exceeding \$100. In calculating the ~~[value of damage,~~



1           ~~the value of future crops that were damaged is~~  
2           ~~included.]~~ amount of damages to agricultural products,  
3           the amount of damages includes future losses and the  
4           loss of future production."

5           SECTION 4. This Act does not affect rights and duties that  
6           matured, penalties that were incurred, and proceedings that were  
7           begun, before its effective date.

8           SECTION 5. Statutory material to be repealed is bracketed  
9           and stricken. New statutory material is underscored.

10          SECTION 6. This Act shall take effect on January 1, 2112.



**Report Title:**

Criminal Property Damage

**Description:**

Clarifies calculation of criminal property damages to agricultural products. (HB1155 HD1)

