

JAN 21 2010

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# A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1           SECTION 1. Section 708-813, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:

3           "(1) A person commits the offense of criminal trespass in  
4 the first degree if:

5           (a) That person knowingly enters or remains unlawfully:

6                   (i) In a dwelling; or

7                   (ii) In or upon the premises of a hotel or apartment  
8 building;

9           (b) That person:

10                   (i) Knowingly enters or remains unlawfully in or upon  
11 premises that are fenced or enclosed in a manner  
12 designed to exclude intruders; and

13                   (ii) Is in possession of a firearm, as defined in  
14 section 134-1, at the time of the intrusion; or

15           (c) That person enters or remains unlawfully in or upon  
16 the premises of any public school as defined in  
17 section 302A-101, or any private school, after



1 reasonable warning or request to leave by school  
2 authorities or a police officer; provided [~~however,~~  
3 ~~such~~] that a warning or request to leave shall be  
4 unnecessary between 10:00 p.m. and 5:00 a.m.; or

5 (d) That person enters or remains unlawfully in or upon  
6 the premises of any public housing project, as defined  
7 in section 356D-1, 356D-51, or 356D-91, after  
8 reasonable warning or request to leave by housing  
9 authorities; provided that the person is not an  
10 invited guest.

11 For purposes of this section:

12 "Housing authorities" means resident managers or  
13 managers, tenant monitors, security guards, or others  
14 officially designated by the Hawaii public housing  
15 authority.

16 "Invited guest" means a person who enters or  
17 remains in or upon the premises of any public housing  
18 project in response to an express or implied  
19 invitation of a resident and who is not in violation  
20 of any law or public housing project rule."

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

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2010.

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INTRODUCED BY:

Norman Sabouf  
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[Signature]

Erzanne Chun Oakland



**Report Title:**

Criminal Trespass; Public Housing Project

**Description:**

Amends criminal trespass in the first degree to include a person who enters or remains unlawfully in or upon the premises of a public housing project after reasonable request or warning to leave by housing authorities; excludes an invited guest.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

