

JAN 20 2010

A BILL FOR AN ACT

RELATING TO EDUCATION:

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302A- Strip searches prohibited. (a) No student of a
5 public elementary, middle, or secondary school shall be
6 subjected to a strip search on school property.

7 (b) For purposes of this section, "strip search" means
8 removing or arranging any or all of the clothing of a student to
9 permit a visual inspection or touching by the person conducting
10 the search of the underclothing, breast, buttocks, anus, pubic
11 area, or genitalia and includes a physical probe of any body
12 cavity, manually or with an instrument."

13 SECTION 2. Chapter 302C, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:



1 "§302C- Strip searches prohibited. (a) No student of a
2 private elementary, middle, or secondary school shall be
3 subjected to a strip search on school property.

4 (b) For purposes of this section, "strip search" means
5 removing or arranging any or all of the clothing of a student to
6 permit a visual inspection or touching by the person conducting
7 the search of the underclothing, breast, buttocks, anus, pubic
8 area, or genitalia and includes a physical probe of any body
9 cavity, manually or with an instrument."

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

13 SECTION 4. New statutory material is underscored.

14 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Search and Seizure; Schools

Description:

Prohibits strip search, including body cavity search, of any student on public or private school grounds.

