
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. Chapter 356D, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§356D- Guests; visitor passes. (a) Any visitor that
5 consistently and predominantly trespasses on the premises of a
6 public housing project shall acquire a visitor pass from the
7 manager of the public housing project or the manager's designee
8 upon entering the premises; provided that a manager shall issue
9 a visitor pass only to a visitor invited onto the premises by an
10 adult tenant of the public housing project.

11 (b) The authority shall adopt rules pursuant to chapter 91
12 for the purposes of this section."

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

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

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

18 (i) In a dwelling; or



- 1 (ii) In or upon the premises of a hotel or apartment
- 2 building;
- 3 (b) That person:
- 4 (i) Knowingly enters or remains unlawfully in or upon
- 5 premises that are fenced or enclosed in a manner
- 6 designed to exclude intruders; and
- 7 (ii) Is in possession of a firearm, as defined in
- 8 section 134-1, at the time of the intrusion; [e]
- 9 (c) That person enters or remains unlawfully in or upon
- 10 the premises of any public school as defined in
- 11 section 302A-101, or any private school, after
- 12 reasonable warning or request to leave by school
- 13 authorities or a police officer; provided [~~however,~~
- 14 ~~such~~] that a warning or request to leave shall be
- 15 unnecessary between 10:00 p.m. and 5:00 a.m.; or
- 16 (d) That person enters or remains unlawfully in or upon
- 17 the premises of any public housing project, as defined
- 18 in section 356D-1 or 356D-91, after reasonable warning
- 19 or request to leave by housing management or
- 20 authorities or a police officer; provided that
- 21 remaining on the premises of any public housing
- 22 project without a visitor's pass, pursuant to section



1 356D- , shall be prima facie evidence of a violation
2 of this section."

3 SECTION 3. (a) The Hawaii public housing authority shall
4 establish a two-year pilot project for Mayor Wright homes. The
5 objective of the pilot project shall be to provide residents of
6 Mayor Wright homes with increased safety and security from
7 trespassers.

8 (b) The Hawaii public housing authority shall report
9 submit a report on the safety and security measures implemented
10 and its findings and recommendations from the pilot project to
11 the legislature no later than twenty days prior to the convening
12 of the 2013 regular session.

13 (c) The pilot project shall cease to exist on June 30,
14 2013.

15 SECTION 4. There is appropriated out of the general
16 revenues of the State of Hawaii the sum of \$ or so much
17 thereof as may be necessary for fiscal year 2011-2012 and the
18 same sum or so much thereof as may be necessary for fiscal year
19 2012-2013 for the pilot project for Mayor Wright homes.

20 The sums appropriated shall be expended by the Hawaii
21 public housing authority for the purposes of this Act.



1 SECTION 5. 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 6. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 7. This Act shall take effect on July 1, 2011.



Report Title:

Public Housing; Visitor Pass; Trespassing

Description:

Requires certain visitors to public housing projects to receive a visitor pass upon entering a public housing project.

Establishes the non-possession of a visitor pass as prima facie evidence of criminal trespass in the first degree. Establishes a pilot project for increased safety and security at Mayor Wright Homes. Appropriates funds. Effective July 1, 2011.

(HB231 HD1)

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