

JAN 21 2011

S.B. NO. 910

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, upon
5 entering the premises of a public housing project, shall acquire
6 a visitor pass from the manager of the public housing project or
7 the manager's designee; provided that a manager shall issue a
8 visitor pass only to a visitor invited onto the premises by an
9 adult tenant of the public housing project.

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

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

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

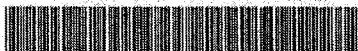
16 (a) That person knowingly enters or remains unlawfully:

17 (i) In a dwelling; or



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- 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; or
- 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



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

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

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect on July 1, 2011.

9

INTRODUCED BY: *Shiranne Chun Oakland*



Report Title:

Public Housing; Visitor Pass; Trespassing

Description:

Requires all visitors to public housing projects to receive a visitor pass from authorities of the public housing project. Establishes the non-possession of a visitor pass as prima facie evidence of criminal trespass in the first degree.

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

