

STAND. COM. REP. NO. 569

Honolulu, Hawaii

Feb 18 , 2011

RE: H.B. No. 231
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 231, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose of this bill is to improve the safety of those living in public housing by:

- (1) Requiring that any person who trespasses on the premises of public housing consistently and predominantly obtain a visitor's pass;
- (2) Requiring the Hawaii Public Housing Authority to implement rules for issuing visitor's passes;
- (3) Including those who remain unlawfully in or upon the premises of public housing after reasonable warning or request to leave by housing management or police as an act of criminal trespass in the first degree;
- (4) Establishing that remaining unlawfully in upon the premises of a public housing project without a visitor's pass constitute prima facie evidence of trespass in the first degree; and

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- (5) Establishing a pilot project for increased safety and security at Mayor Wright Homes.

Several concerned individuals testified in support of this measure. The Hawaii Public Housing Authority, Office of the Public Defender, and American Civil Liberties Union of Hawaii opposed this bill.

Your Committee has amended this bill by:

- (1) Making visitors passes for public housing premises a requirement of all visitors and not limiting the requirement to those who consistently and predominantly trespass;
- (2) Deleting reference to prima facie evidence;
- (3) Changing the effective date to January 7, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 231, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 231, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,


GILBERT KEITH-AGARAN, Chair



