
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 to read as follows:

3 "**§708-813 Criminal trespass in the first degree.** (1) A
4 person commits the offense of criminal trespass in the first
5 degree if:

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

7 (i) In a dwelling; or

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

10 (b) That person:

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

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

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



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 not be
 4 [unnecessary] necessary between 10:00 p.m. and 5:00
 5 a.m.; or

6 (d) That person enters or remains unlawfully in or upon
 7 the premises of any state low-income public housing
 8 project or federal low-income public housing project,
 9 after a reasonable warning or request to leave by
 10 housing authorities; provided that the person is not
 11 an invited guest of a resident and is not in the
 12 presence of the resident.

13 (2) As used in this section:
 14 "Housing authorities" means resident managers or managers,
 15 tenant monitors, security guards, or other persons officially
 16 designated by the Hawaii public housing authority.

17 "Invited guest" means a person who enters or remains in or
 18 upon the premises of any public housing project in response to
 19 an express invitation by a resident and who is in the presence
 20 of the resident.

21 [~~+2~~] (3) Criminal trespass in the first degree is a
 22 misdemeanor."



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 Statutory material to be repealed is bracketed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 January 1, 2013.



Report Title:

Criminal Trespass; Public Housing Project

Description:

Broadens criminal trespass in the 1st degree to include a person who enters or remains unlawfully in or upon the premises of a state low-income public housing project or federal low-income public housing project. Effective January 1, 2013. (HB1794 HD1)

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