
A BILL FOR AN ACT

RELATING TO SOLID WASTE.

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

1 SECTION 1. Chapter 342H, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§342H- Petty misdemeanor management of solid waste.

5 (a) A person commits the offense of petty misdemeanor
6 management of solid waste if the person knowingly operates a
7 solid waste management system without first securing approval in
8 writing from the director.

9 (b) Petty misdemeanor management of solid waste is
10 punishable by:

11 (1) A fine of not less than \$500 but not more than \$25,000
12 for each separate offense;

13 (2) Not more than thirty days imprisonment for each
14 offense; or

15 (3) Revocation or suspension by court order of any
16 contractor's license or any applicable certificate of
17 authorization from the public utilities commission.

18 Each day of violation shall constitute a separate offense.



1 (c) Each fine collected for a violation of this section
2 shall be distributed to the authorized agency that enforced the
3 prohibition under which the fine was imposed."

4 SECTION 2. Section 342H-37, Hawaii Revised Statutes, is
5 amended by amending subsection (c) to read as follows:

6 "(c) Felony disposal of solid waste is a class C felony
7 for which a [~~maximum fine of~~] fine of not less than \$2,000 but
8 not more than \$50,000 for each separate offense [may] shall be
9 imposed."

10 SECTION 3. Section 342H-39, Hawaii Revised Statutes, is
11 amended by amending and subsection (b) to read as follows:

12 "(b) Petty misdemeanor disposal of solid waste is
13 punishable by:

14 (1) A fine of not less than \$500 but not more than \$25,000
15 for each separate offense;

16 (2) Not more than thirty days imprisonment for each
17 offense; or

18 (3) Revocation or suspension by court order of any
19 contractor's license or any applicable certificate of
20 authorization from the public utilities commission.

21 Each day of violation shall constitute a separate offense."



1 SECTION 4. 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 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 6. This Act shall take effect upon its approval.



Report Title:

Solid Waste; Illegal Dumping

Description:

Creates a minimum penalty for felony disposal of solid waste of \$2,000, and a minimum penalty for petty misdemeanor disposal of solid waste of \$500. Creates a petty misdemeanor offense for illegally operating a solid waste management system. (HB874 HD1)

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