

JAN 21 2011

A BILL FOR AN ACT

RELATING TO EDUCATION.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§302A- Strip searches prohibited. (a) No student of a
5 public elementary, middle, or secondary school shall be
6 subjected to a strip search on school property.

7 (b) For purposes of this section, "strip search" means
8 removing or arranging any or all of the clothing of a student to
9 permit a visual inspection or touching by the person conducting
10 the search of the underclothing, breast, buttocks, anus, pubic
11 area, or genitalia and includes a physical probe of any body
12 cavity, manually or with an instrument."

13 SECTION 2. Chapter 302C, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§302C- Strip searches prohibited. (a) No student of
17 a private elementary, middle, or secondary school shall be
18 subjected to a strip search on school property.



1 **(b)** For purposes of this section, "strip search" means
 2 removing or arranging any or all of the clothing of a student to
 3 permit a visual inspection or touching by the person conducting
 4 the search of the underclothing, breast, buttocks, anus, pubic
 5 area, or genitalia and includes a physical probe of any body
 6 cavity, manually or with an instrument."

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

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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Report Title:

Search and Seizure; Schools

Description:

Prohibits strip search, including body cavity search, of any student on public or private school grounds.

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