
A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

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

1 SECTION 1. The purpose of this Act is to amend chapter
2 712, Hawaii Revised Statutes, specifically part V, nuisance
3 abatement, by adding part III, gambling offenses, to the list of
4 qualifying offenses. The legislature finds that the Honolulu
5 police department has often used the nuisance abatement law to
6 remind owners and landlords about their responsibility to
7 monitor the use of their property. However, gambling offenses
8 are not listed as qualifying offenses even though gambling rooms
9 have been the scene of extremely violent crimes, such as
10 homicides, and are known to be used for the distribution of
11 narcotics. Currently, there are no consequences for owners who
12 fail to take action regarding the ongoing gambling activity
13 occurring on their property. As a result, an amendment needs to
14 be made to chapter 712, Hawaii Revised Statutes, part V,
15 nuisance abatement, specifically section 712-1270. This Act
16 would provide an additional course of action for law enforcement
17 to use to create a safer community.



1 SECTION 2. Section 712-1270, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§712-1270 Places used to commit offenses against public
4 health and morals, a nuisance. Every building, premises, or
5 place used for the purpose of violating:

6 (1) Those laws pertaining to offenses against public
7 health and morals contained in parts I, II, III, and
8 IV of this chapter, except offenses under part IV
9 which do not involve the manufacture or distribution
10 of drugs; or

11 (2) Section 132D-14(a)(1) or (3),
12 and every building, premises, or place in or upon which the
13 violations are held or occur in parts I, II, III, and IV, or
14 section 132D-14(a)(1) or (3), is a nuisance that shall be
15 enjoined, abated, and prevented, regardless of whether it is a
16 public or private nuisance."

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

20 SECTION 4. New statutory material is underscored.



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

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INTRODUCED BY:

[Handwritten signatures and names]

[Signature]
Rindalchigun
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John V. De
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JAN 22 2013



H.B. NO. 1015

Report Title:

Nuisance Abatement; Gambling

Description:

Adds gambling offenses to the nuisance abatement law.

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