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# 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



1 reasonable warning or request to leave by school  
2 authorities or a [~~police officer,~~] law enforcement  
3 officer; provided [~~however, such~~] that a warning or  
4 request to leave shall not be [unnecessary] necessary  
5 between 10:00 p.m. and 5:00 a.m.; or

6 (d) That person enters or remains unlawfully in or upon  
7 the premises of any public housing project, as defined  
8 in section 356D-1 or 356D-91, after a reasonable  
9 warning or request to leave by housing authorities or  
10 a law enforcement officer, based upon an alleged  
11 violation of law or administrative rule; provided that  
12 a warning or request to leave shall not be necessary  
13 between 10:00 p.m. and 5:00 a.m. at any public housing  
14 project that is closed to the public during those  
15 hours and has signs, containing letters not less than  
16 two inches in height, placed along the boundary of the  
17 project property, at all entrances to the property, in  
18 a manner and position to be clearly noticeable from  
19 outside the boundary of the project property and to  
20 give sufficient notice that the public housing project  
21 is closed to the public during those hours.



1        (2) As used in this section, "housing authorities" means  
2 resident managers or managers, tenant monitors, security guards,  
3 or others officially designated by the Hawaii public housing  
4 authority.

5        [~~2~~] (3) Criminal trespass in the first degree is a  
6 misdemeanor."

7        SECTION 2. 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 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12       SECTION 4. This Act shall take effect on January 1, 2014.

13



**Report Title:**

Criminal Trespass; Public Housing Project

**Description:**

Broadens criminal trespass in the first degree to include a person who enters or remains unlawfully in or upon the premises of a public housing project after a reasonable request or warning to leave by housing authorities or a law enforcement officer; provided that no warning or request is necessary between certain times of day and if the public housing has signs to mark the boundaries of property and notify the public that the public housing project is closed to the public during certain hours. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

