

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

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

1           SECTION 1. The legislature finds that law enforcement has  
2 often used the State's nuisance abatement law to remind owners  
3 and landlords about their responsibility to monitor the use of  
4 their property. Gambling offenses, however, are not qualifying  
5 offenses under the State's nuisance abatement law, even though  
6 gambling rooms have been the scene of extremely violent crimes,  
7 such as homicides, and are known to be used for the distribution  
8 of narcotics.

9           Currently, there are no consequences for owners who fail to  
10 take action against ongoing gambling activity occurring on their  
11 property. Making a gambling offense a qualifying offense under  
12 the State's nuisance abatement law will provide law enforcement  
13 with an additional course of action to create safer communities.

14           The purpose of this Act is to amend section 712-1270,  
15 Hawaii Revised Statutes, to include every building, premises, or  
16 place used to commit a gambling offense and in or upon which a  
17 gambling offense occurred, as a nuisance under the State's  
18 nuisance abatement law.



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: ~~ANN~~ D.C. *Handwritten Signature*  
BY REQUEST OF ANOTHER PERSON



# S.B. NO. 333

**Report Title:**

Nuisance Abatement; Gambling Offenses

**Description:**

Amends section 712-1270, HRS, to include every building, premises, or place used to commit a gambling offense and in or upon which a gambling offense occurred, as a nuisance under the State's nuisance abatement law.

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

