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# A BILL FOR AN ACT

RELATING TO DISORDERLY CONDUCT.

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

1           SECTION 1. Section 711-1101, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§711-1101 **Disorderly conduct.** (1) A person commits the  
4 offense of disorderly conduct if, with intent to alarm or cause  
5 physical inconvenience [~~or alarm by~~] to a member or members of  
6 the public, or recklessly creating a risk thereof, the person:

7           (a) Engages in fighting or threatening, or in violent or  
8 tumultuous behavior; [~~or~~]

9           (b) Makes unreasonable noise; [~~or~~]

10           (c) Subjects another person to offensively coarse behavior  
11 or abusive language [~~which~~] that is likely to provoke  
12 a violent response; [~~or~~]

13           (d) Creates a hazardous or physically offensive condition  
14 by any act [~~which~~] that is not performed under any  
15 authorized license or permit; [~~or~~]

16           (e) Impedes or obstructs, for the purpose of begging or  
17 soliciting alms, any person in any public place or in  
18 any place open to the public[~~-~~]; or



1        (f) Lies down at a bus stop shelter or other bus stop  
2                    structure in a manner that impedes or obstructs the  
3                    use of or access to the bus stop.

4            (2) Noise is unreasonable, within the meaning of  
5 subsection (1)(b), if considering the nature and purpose of the  
6 person's conduct and the circumstances known to the person,  
7 including the nature of the location and the time of the day or  
8 night, the person's conduct involves a gross deviation from the  
9 standard of conduct that a law-abiding citizen would follow in  
10 the same situation; or the failure to heed the admonition of a  
11 police officer that the noise is unreasonable and should be  
12 stopped or reduced.

13            The renter, resident, or owner-occupant of the premises who  
14 knowingly or negligently consents to unreasonable noise on the  
15 premises shall be guilty of a noise violation.

16            (3) Disorderly conduct is a petty misdemeanor if it is the  
17 defendant's intention to cause substantial harm or serious  
18 inconvenience, or if the defendant persists in disorderly  
19 conduct after reasonable warning or request to desist.  
20 Otherwise disorderly conduct is a violation[-]; provided that  
21 the fine for a violation of subsection (1)(f) shall be \$50."



# H.B. NO. 2409

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

6           SECTION 4. This Act shall take effect on July 1, 2014.

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INTRODUCED BY: *Karl Rhoads*

JAN 22 2014



# H.B. NO. 2409

**Report Title:**

Disorderly Conduct; Bus Stops

**Description:**

Makes it a disorderly conduct offense to lie down at a bus stop shelter or structure in a manner that interferes with use of or access to the bus stop. Establishes a fine of \$50 for a violation. Effective 7/1/14.

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

