
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."



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 January 1, 2014.



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 the bus stop. Establishes a fine of \$50 for a violation. Effective January 1, 2014. (HB31 CD1)

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