

JAN 18 2013

---

---

# A BILL FOR AN ACT

RELATING TO THEFT.

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

- 1           SECTION 1. Section 708-831, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:
- 3           "(1) A person commits the offense of theft in the second  
4 degree if the person commits theft:
- 5           (a) Of property from the person of another;
- 6           (b) Of property or services the value of which exceeds  
7           ~~[\$300+]~~ \$750;
- 8           (c) Of an aquacultural product or part thereof from  
9           premises that are fenced or enclosed in a manner  
10           designed to exclude intruders or there is prominently  
11           displayed on the premises a sign or signs sufficient  
12           to give notice and reading as follows: "Private  
13           Property", "No Trespassing", or a substantially  
14           similar message;
- 15           (d) Of agricultural equipment, supplies, or products, or  
16           part thereof, the value of which exceeds \$100 but does  
17           not exceed \$20,000, or of agricultural products that  
18           exceed twenty-five pounds, from premises that are



1 fenced, enclosed, or secured in a manner designed to  
2 exclude intruders or there is prominently displayed on  
3 the premises a sign or signs sufficient to give notice  
4 and reading as follows: "Private Property", "No  
5 Trespassing", or a substantially similar message; or  
6 if at the point of entry of the premise, a crop is  
7 visible. The sign or signs, containing letters not  
8 less than two inches in height, shall be placed along  
9 the boundary line of the land in a manner and in such  
10 position as to be clearly noticeable from outside the  
11 boundary line. Possession of agricultural products  
12 without ownership and movement certificates, when a  
13 certificate is required pursuant to chapter 145, is  
14 prima facie evidence that the products are or have  
15 been stolen; or

16 (e) Of agricultural commodities that are generally known  
17 to be marketed for commercial purposes. Possession of  
18 agricultural commodities without ownership and  
19 movement certificates, when a certificate is required  
20 pursuant to section 145-22, is prima facie evidence  
21 that the products are or have been stolen; provided



# S.B. NO. 570

1           that "agriculture commodities" has the same meaning as  
2           in section 145-21."

3           SECTION 2. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

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

8           SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY: 



# S.B. NO. 570

**Report Title:**

Theft in the Second Degree; Value of Property or Services

**Description:**

Increases the threshold value of property or services from \$300 to \$750 under the offense of theft in the second degree.

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

