

Honolulu, Hawaii

April 25, 2013

RE: H.B. No. 87
S.D. 2
C.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 87, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to ensure public safety at public housing projects. Specifically, this measure:

- (1) Broadens the offense of criminal trespass in the first degree to include a person who enters or remains unlawfully in or upon the premises of any public housing project after a reasonable warning or request to leave by housing authorities or a law enforcement officer;
- (2) Stipulates that a person who enters or remains unlawfully on public housing project premises after hours shall be guilty of a petty misdemeanor for the first violation and a misdemeanor for a second or subsequent violation;



- (3) Clarifies that the warning or request to leave is not necessary between 10:00 p.m. and 5:00 a.m. at any public housing project that is closed to the public during those hours and has signs of a certain size and placement to provide sufficient notice of the closure; and
- (4) Defines housing authorities.

Your Committee on Conference has amended this measure by:

- (1) Downgrading the specified conduct and circumstances that would have constituted the offense of criminal trespass in the first degree, a misdemeanor, to criminal trespass in the second degree, a petty misdemeanor;
- (2) Clarifying that a police officer, rather than a law enforcement officer, may issue the warning or request to a person to leave the housing project;
- (3) Retaining language providing that no warning or request is necessary when the public housing project is closed and there is signage of a certain size and placement to provide sufficient notice of the closure and placing this language under the offense of criminal trespass in the second degree;
- (4) Placing the definition of housing authorities under the offense of criminal trespass in the second degree; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 87, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 87, S.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE

Suzanne Chun Oakland
SUZANNE CHUN OAKLAND, Chair

Clayton Hee
CLAYTON HEE, Co-Chair

Rida T.B. Cabanilla
RIDA T.B. CABANILLA, Co-Chair

Karl Rhoads
KARL RHOADS, Co-Chair



