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## A BILL FOR AN ACT

RELATING TO CRIMINAL FORFEITURE.

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

1           SECTION 1. The legislature finds that Hawaii's tourist-  
2 dependent economy is strong in part because Hawaii does not  
3 allow commercial advertising to intrude on the enjoyment of our  
4 most important asset, Hawaii's natural beauty.

5           Unfortunately, Hawaii's sign laws continue to be challenged  
6 by various advertisers. Most recently, an out-of-state aerial  
7 advertising company repeatedly displayed illegal commercial  
8 banners across Hawaii's skies. Because penalties are currently  
9 not strong enough to deter law breaking, the legislature seeks  
10 to enable additional tools for the proper enforcement of  
11 Hawaii's laws.

12           The purpose of this Act is to authorize the seizure of  
13 airplanes or other vehicles used to violate Hawaii's statewide  
14 prohibition on certain outdoor advertising.

15           SECTION 2. Section 712A-4, Hawaii Revised Statutes, is  
16 amended to read as follows:



1           "§712A-4 Covered offenses. Offenses for which property is  
2 subject to forfeiture under this chapter are:

3           (a) All offenses that specifically authorize forfeiture;

4           (b) Murder, kidnapping, labor trafficking, gambling,  
5 criminal property damage, robbery, bribery, extortion,  
6 theft, unauthorized entry into motor vehicle,  
7 burglary, money laundering, trademark counterfeiting,  
8 insurance fraud, promoting a dangerous, harmful, or  
9 detrimental drug, commercial promotion of marijuana,  
10 methamphetamine trafficking, manufacturing of a  
11 controlled substance with a child present, promoting  
12 child abuse, promoting prostitution, solicitation of a  
13 minor for prostitution, habitual solicitation of  
14 prostitution, [~~ex~~] electronic enticement of a child  
15 that is chargeable as a felony offense under state  
16 law[~~+~~], or outdoor advertising in violation of part IV  
17 of chapter 445;

18           (c) The manufacture, sale, or distribution of a controlled  
19 substance in violation of chapter 329, promoting  
20 detrimental drugs or intoxicating compounds, promoting  
21 pornography, promoting pornography for minors, or



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1           solicitation of prostitution near schools or public  
 2           parks, which is chargeable as a felony or misdemeanor  
 3           offense, but not as a petty misdemeanor, under state  
 4           law; and

5           (d) The attempt, conspiracy, solicitation, coercion, or  
 6           intimidation of another to commit any offense for  
 7           which property is subject to forfeiture."

8           SECTION 3. Statutory material to be repealed is bracketed  
 9           and stricken. New statutory material is underscored.

10          SECTION 4. This Act does not affect rights and duties that  
 11          matured, penalties that were incurred, and proceedings that were  
 12          begun before its effective date.

13          SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten signatures and names]*

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**Report Title:**

Outdoor Advertising; Criminal Forfeiture

**Description:**

Authorizes the seizure of property used in illegal outdoor advertising.

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

