
A BILL FOR AN ACT

RELATING TO PUBLIC ORDER.

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

1 SECTION 1. Chapter 708, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§708- Unlawful occupation of state property. (1) A
5 person commits the offense of unlawful occupation of state
6 property if the person remains unlawfully in or upon state
7 property after a request to leave is made by any law enforcement
8 officer, when the request is based upon violation by the person
9 of any term of use specified on a sign or notice posted on the
10 property, or based on violation of any term of use contained in,
11 or the expiration of, any permit relating to the person's
12 presence on the property.

13 (2) For the purposes of the section, unless the context
14 requires otherwise:

15 "Law enforcement officer" has the same meaning as section
16 710-1000.



1 "State property" means any state land and appurtenances
2 thereof and the buildings, structures, and improvements erected
3 on or affixed to the same.

4 (3) Unlawful occupation of state property is a petty
5 misdemeanor."

6 SECTION 2. (a) Each department with jurisdiction over
7 state lands shall:

8 (1) Develop a policy for coordinated enforcement of
9 section 708- , Hawaii Revised Statutes; and

10 (2) Implement the policy as developed.

11 (b) A policy developed pursuant to subsection (a) shall
12 include the following:

13 (1) A review of state lands under departmental control to
14 determine the hours that state lands will be open to
15 the public and the need for signage to communicate
16 those hours, with a plan to install any signage as
17 needed;

18 (2) A determination of state lands under departmental
19 control appropriate for coordinated enforcement;



1 (3) A review of surrounding areas that may be affected by
2 coordinated enforcement, and a plan to work with other
3 departments and counties that may be affected; and

4 (4) A requirement that prior to any coordinated
5 enforcement, law enforcement officials shall post a
6 notice twenty-four hours in advance.

7 SECTION 3. Each department with jurisdiction over state
8 lands shall submit a report to the legislature on the progress
9 of their policy-making and implementation regarding coordinated
10 enforcement of section 708- , Hawaii Revised Statutes, no later
11 than twenty days prior to the convening of the regular session
12 of 2017.

13 SECTION 4. This Act does not affect rights and duties that
14 matured, penalties that were incurred, and proceedings that were
15 begun before its effective date.

16 SECTION 5. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Offenses against Property Rights; Unlawful Occupation of State Property

Description:

Establishes an offense for remaining unlawfully in or upon state property after a request to leave is made by any law enforcement officer under certain conditions. Requires the departments with jurisdiction over state property to develop and implement a policy for coordinated enforcement. (HB1525 HD1)

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