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# A BILL FOR AN ACT

RELATING TO THEFT.

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

1           SECTION 1. Section 445-231, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4           "Urn" means a container that is or has been used to hold  
5 human ashes."

6           SECTION 2. Section 445-233, Hawaii Revised Statutes, is  
7 amended as follows:

8           1. By amending subsection (b) to read:

9           "(b) If the scrap presented for purchase is copper, ~~[e]~~ a  
10 beer keg, or an urn, in whole or in part, the seller shall  
11 provide a copy of a receipt that describes, with particularity:

12           (1) The exact item that is being offered for sale;

13           (2) Who issued the receipt;

14           (3) The date of sale of the item prior to the item's being  
15 offered to the scrap dealer; and

16           (4) The price, if any, of the item when obtained by the  
17 seller."



1           2. By amending subsections (d), (e), and (f) to read:

2           "(d) If the seller does not provide a copy of the receipt  
3 or the notarized declaration as required by subsections (b) and  
4 (c), the scrap dealer shall not purchase the copper, ~~[or]~~ beer  
5 keg, or urn in whole or in part, and shall report the attempted  
6 sale to the police.

7           (e) If the scrap dealer purchases any copper, ~~[or]~~ beer  
8 keg, or urn, in whole or in part, the scrap dealer shall take a  
9 photograph or photographs of all of the copper, ~~[or any]~~ beer  
10 keg, or urn, offered for sale.

11           (f) The scrap dealer shall also require the seller to  
12 verify the seller's identity by presenting a valid photo  
13 identification card or license issued by a federal or state  
14 government agency authorized to issue valid identification. If  
15 the scrap being offered for sale is copper, ~~[or]~~ a beer keg, or  
16 an urn, in whole or in part, the scrap dealer shall:

- 17           (1) Take a photograph of the seller; or  
18           (2) Make a photocopy of the identification card or license  
19           of the seller."



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

4 "§708- Theft of urn. (1) A person commits the offense  
5 of theft of urn if the person commits theft of an urn.

6 (2) For the purposes of this section, "urn" means a  
7 container that is or has been used to hold human ashes.

8 (3) Theft of urn is a class C felony."

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

12 SECTION 5. Statutory material to be repealed is bracketed  
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect upon its approval.



**Report Title:**

Urn; Statement; Theft; Penal Code; Class C Felony

**Description:**

Requires scrap dealers to follow the same regulations regarding a written statement for the purchase of an urn as they do for the purchase of copper or a beer keg. Establishes the offense of theft of urn as a class C felony. (HB1578 HD1)

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

