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## A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

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

1           SECTION 1. The purpose of this Act is to amend chapter  
2 712, Hawaii Revised Statutes, part V, relating to nuisance  
3 abatement, by adding part III, gambling offenses, to the list of  
4 qualifying offenses giving rise to a nuisance that may be  
5 enjoined, abated, or prevented. The legislature finds that the  
6 Honolulu police department has often used the nuisance abatement  
7 law to remind owners and landlords about their responsibility to  
8 monitor the use of their property. However, gambling offenses  
9 are not listed as qualifying offenses even though gambling rooms  
10 have been the scene of extremely violent crimes, such as  
11 homicides, and are known to be used for the distribution of  
12 narcotics. Currently, there are no consequences for owners who  
13 fail to take action regarding the ongoing gambling activity  
14 occurring on their property.

15           Accordingly, the purpose of this Act is to enhance public  
16 safety by amending section 712-1270, Hawaii Revised Statutes,  
17 with regard to nuisance abatement, to include gambling offenses.



# H.B. NO. 364

1           SECTION 2. Section 712-1270, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§712-1270 Places used to commit offenses against public  
4 health and morals, a nuisance. Every building, premises, or  
5 place used for the purpose of violating:

6           (1) Those laws pertaining to offenses against public  
7 health and morals contained in parts I, II, [~~and~~] III,  
8 or IV of this chapter, except offenses under part IV  
9 [~~which~~] that do not involve the manufacture or  
10 distribution of drugs; or

11           (2) Section 132D-14(a)(1) or (3),  
12 and every building, premises, or place in or upon which the  
13 violations are held or occur in parts I, II, [~~and~~] III, or IV,  
14 or section 132D-14(a)(1) or (3), is a nuisance that shall be  
15 enjoined, abated, and prevented, regardless of whether it is a  
16 public or private nuisance."

17           SECTION 3. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.

20           SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



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

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INTRODUCED BY:

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JAN 23 2015



# H.B. NO. 364

**Report Title:**

Nuisance Abatement; Gambling Offenses

**Description:**

Adds a building, premise, and place in which a gambling offense is committed as a nuisance that is subject to abatement.

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

