

STAND. COM. REP. NO. 832

Honolulu, Hawaii
March 6, 2015

RE: H.B. No. 767
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 767, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY,"

begs leave to report as follows:

The purpose of this measure is to clarify the offense of trespassing in the second degree as it applies to conduct at Hawaii Public Housing Authority (HPHA) housing projects. This bill amends the elements of the offense to apply to unlawful or unauthorized presence or entry by a nonresident and amends notice and signage requirements to comport with requirements applicable to other locations.

The Department of the Attorney General and the Department of Human Services testified in support of this measure with their recommended amendments.

Your Committee has amended this measure to:

- (1) Establish that all HPHA housing projects are closed to the public;
- (2) Amend the Hawaii Penal Code to expand the offense of criminal trespass in the second degree to prohibit an unauthorized member of the public from entering or remaining on HPHA housing project properties that are



closed to the public and provided with signs warning that the property is closed and there shall be no trespassing;

- (3) Define terms and conditions relating to the restricted entry, signs, and HPHA's authority as are necessary for the implementation of this measure; and
- (4) Make technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 767, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 767, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



