

Honolulu, Hawaii

March 23, 2016

RE: S.B. No. 2816
S.D. 1
H.D. 1

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred S.B. No. 2816, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIMINAL TRESPASS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish the offense of criminal trespass onto state lands and make the offense a petty misdemeanor; and
- (2) Amend the offense of criminal trespass in the second degree to include and apply to agricultural property owned by the government that is not fenced, enclosed, or otherwise secured in a manner designed to exclude intruders, but has appropriate signage giving notice that the property is government property and that trespassing is prohibited.

The Department of Land and Natural Resources and Department of Transportation provided testimony in support of the measure. The American Civil Liberties Union of Hawaii provided testimony in opposition. The Department of the Attorney General provided comments.

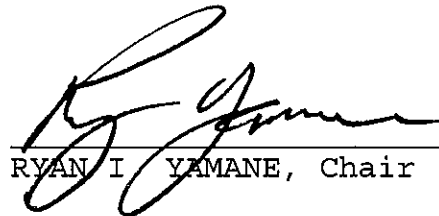


Your Committee has amended this measure by:

- (1) Clarifying that land closed with its closure hours posted is land closed to public use;
- (2) Making its effective date July 1, 2016;
- (3) Deleting the repeal date; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2816, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2816, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



RYAN I. YAMANE, Chair



