
A BILL FOR AN ACT

RELATING TO PUBLIC ORDER.

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

1 SECTION 1. Urinating and defecating in public frighten and
2 offend many people. These behaviors also create a public health
3 risk because of the spread of diseases and other health hazards
4 stemming from human waste. Such concerns and the smell
5 associated with public urination and defecation discourage
6 people from patronizing establishments.

7 The purpose of this Act is to prohibit public urination or
8 defecation.

9 SECTION 2. Chapter 711, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§711- Urinating or defecating in public. (1) A
13 person commits the offense of urinating or defecating in public
14 if the person intentionally or knowingly urinates or defecates
15 in a public place or any area where such an act is likely to be
16 observed by any member of the public.



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1 (2) As used in this section, "public place" means any
2 publicly-owned or privately-owned property open for public use
3 or to which the public is invited for entertainment or business
4 purposes and includes but is not limited to any street,
5 sidewalk, driveway, alley, doorway, mall, plaza, park, public
6 building, or parking lot.

7 (3) This section shall not apply in cases where the person
8 failed to use a restroom or other toilet facility because of a
9 medical condition verified by a licensed physician.

10 (4) This section shall not apply to a person urinating or
11 defecating while using appropriate fixtures in any restroom or
12 other toilet facility designed for the sanitary disposal of
13 human waste.

14 (5) Urinating or defecating in public is a violation
15 punishable as follows:

16 (a) For a first offense, by a fine of not more than
17 \$1,000;

18 (b) For a second offense, by a fine of not more than
19 \$2,000; and

20 (c) For a third or subsequent offense, by a fine of not
21 more than \$5,000."



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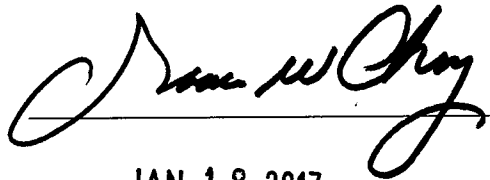
1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 4. New statutory material is underscored.

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

6

INTRODUCED BY:



JAN 18 2017



H.B. NO. 16

Report Title:

Offenses against Public Order; Public Urination and Defecation

Description:

Prohibits urinating and defecating in public places.
Establishes graduated fines as penalties for violations.

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

