
A BILL FOR AN ACT

RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE.

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

1 SECTION 1. The legislature finds that the security and
2 resilience of Hawaii's critical electrical infrastructure are
3 fundamental to the health, safety, and welfare of the State's
4 residents, visitors, and employees and to the national defense
5 of the country. The legislature acknowledges that modern
6 society functions because of safe, affordable, and reliable
7 electrical power. The legislature further finds that existing
8 trespass laws do not provide a proportionate level of protection
9 for such a key resource.

10 The purpose of this Act is to protect the public and
11 electric utility employees, ensure reliable electrical service
12 in the State, and decrease damage to critical electrical
13 infrastructure caused by trespassing by establishing the offense
14 of criminal trespass on critical electrical infrastructure.

15 SECTION 2. Section 708-800, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:



1 "Critical electrical infrastructure" means any facility
 2 used to support the generation, transmission, or distribution of
 3 electricity, including but not limited to power plants, power
 4 generation facility peakers, electric transmission facilities,
 5 or electric stations or substations. "Critical electric
 6 infrastructure" does not include electric transmission land or
 7 rights-of-way that are not completely enclosed and maintained by
 8 an electric utility."

9 SECTION 3. Chapter 708, Hawaii Revised Statutes, is
 10 amended by adding a new section to be appropriately designated
 11 and to read as follows:

12 "§708- Criminal trespass on critical electrical
 13 infrastructure. (1) A person commits the offense of criminal
 14 trespass on critical electrical infrastructure when:

15 (a) The person intentionally enters or remains unlawfully
 16 on property of a critical electrical infrastructure
 17 with intent to commit therein a crime against a person
 18 or against property rights, and the property is fenced
 19 or enclosed in a manner designed to exclude intruders
 20 with posted warning signs; or



1 (b) The person intentionally, knowingly, or recklessly
2 enters or remains unlawfully on property that belongs
3 to a critical electrical infrastructure company.

4 (2) Criminal trespass on critical electrical
5 infrastructure is a class C felony.

6 (3) Entering or remaining unlawfully on the premises of a
7 critical electrical infrastructure shall constitute prima facie
8 evidence of a person's intention to commit thereupon a crime
9 against a person or property rights."

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

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Trespassing; Critical Electrical Infrastructure; Criminal
Trespass

Description:

Establishes the offense of criminal trespass on critical
electrical infrastructure. Takes effect on 7/1/2050. (HD1)

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

