
A BILL FOR AN ACT

RELATING TO LITTERING.

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

1 SECTION 1. The legislature finds that Hawaii continues to
2 face a serious and rampant littering problem. The presence of
3 rubbish in neighborhoods and parks and on beaches mars the
4 State's natural beauty and impacts its reputation as one of the
5 premier scenic destinations in the world. The legislature
6 further finds that the current penalties for littering are not a
7 sufficient deterrent against littering by residents and visitors
8 in the State.

9 Accordingly, the purpose of this Act is to significantly
10 deter littering by increasing civil and criminal fines for
11 violations of the State's litter laws.

12 SECTION 2. Section 291C-132, Hawaii Revised Statutes, is
13 amended by amending subsection (d) to read as follows:

14 "(d) The court shall fine the person convicted of
15 committing the offense of littering at least \$100, but not more
16 than [~~\$500.~~] \$1,000."



1 SECTION 3. Section 339-8, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Except as otherwise provided by this chapter, any
4 person violating any provision of this chapter or any rule
5 adopted under this chapter shall be guilty of a violation, and
6 shall be fined not less than \$100, and not more than [~~\$500~~
7 \$1,000 for each offense, and ordered to pick up and remove
8 litter from a public place under the supervision of the director
9 as follows:

10 (1) For the first offense, the violator shall spend four
11 hours of either picking up litter or performing
12 community service; and

13 (2) For any subsequent offense, the violator shall spend
14 eight hours of either picking up litter or performing
15 community service."

16 SECTION 4. Section 708-829, Hawaii Revised Statutes, is
17 amended by amending subsection (4) to read as follows:

18 "(4) The court shall sentence any person convicted of
19 committing the offense of criminal littering as follows:



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1 (a) For the first offense, the person shall spend four
 2 hours of either picking up litter on public property
 3 or performing community service;

4 (b) For any subsequent offense, the person shall spend
 5 eight hours of either picking up litter on public
 6 property or performing community service; and

7 (c) The court shall fine the person convicted of
 8 committing the offense of criminal littering at least
 9 \$500, but not more than [~~\$1,000.~~] \$5,000."

10 SECTION 5. 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 6. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 7. This Act shall take effect on January 1, 2021.

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INTRODUCED BY: James S. Kay

Richard Green

[Signature]

JAN 22 2020



H.B. NO. 2481

Report Title:

Littering; Civil Penalty; Penal Code; Criminal Littering

Description:

Increases the maximum civil fine for littering on a public highway from \$500 to \$1,000. Increases the maximum civil penalty for violations of litter control from \$500 to \$1,000. Increases the criminal fine for the offense of criminal littering from \$1,000 to \$5,000.

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