
A BILL FOR AN ACT

RELATING TO PUBLIC ORDER.

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

1 SECTION 1. The legislature finds that witnessing other
2 individuals urinating and defecating in public frightens and
3 offends many people. These behaviors also create a public
4 health risk because of the spread of diseases and other health
5 hazards stemming from human waste. These health concerns, along
6 with the smell associated with public urination and defecation,
7 can often discourage people from patronizing establishments
8 located in business districts.

9 The legislature further finds that Act 84, Session Laws of
10 Hawaii 2004, established the offense of urinating or defecating
11 in public and was limited to the downtown Honolulu area but was
12 repealed on December 31, 2016.

13 The purpose of this Act is to prohibit public urination or
14 defecation in business districts.

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



1 "§711- Urinating or defecating in a public place. (1)

2 A person commits the offense of urinating or defecating in a
3 public place if the person intentionally or knowingly urinates
4 or defecates in a public place or any area where it is likely to
5 be observed by any member of the public within the boundaries of
6 a business district.

7 (2) 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 (3) 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 (4) Urinating or defecating in a public place is a
15 violation punishable by a fine of no more than \$100.

16 (5) As used in this section:

17 "Business district" means the territory contiguous to and
18 including a highway when within any six hundred feet along such
19 highway there are buildings in use for business or industrial
20 purposes, including but not limited to hotels, banks, or office
21 buildings, and public buildings which occupy at least three



1 hundred feet of frontage on one side or three hundred feet
2 collectively on both sides of the highway.

3 "Public place" means any publicly-owned or privately-owned
4 property open for public use or to which the public is invited
5 for entertainment or business purposes, including but not
6 limited to any street, sidewalk, driveway, alley, doorway, mall,
7 plaza, park, public building, or parking lot."

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

11 SECTION 4. New statutory material is underscored.

12 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Penal Code; Urinating or Defecating in a Public Place; Business District

Description:

Establishes the offense of urinating or defecating in a public place within business districts. 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.

