
A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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 is
3 fundamental to the health and welfare of not only its residents,
4 visitors, and employees, but to the national defense of the
5 country. The legislature acknowledges that modern society
6 functions because of safe, affordable, and reliable electrical
7 power. However, existing trespassing laws do not provide a
8 proportionate level of protection for such a key resource.

9 The purpose of this Act is to protect the public and
10 critical electrical utilities by establishing the offense of
11 trespassing on critical electrical infrastructure property.

12 SECTION 2. Chapter 708, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§708- Criminal trespass on critical electrical
16 infrastructure property. (1) A person commits the offense of
17 criminal trespass on critical electrical infrastructure property



1 when the person intentionally and unlawfully enters or remains
2 on critical electrical infrastructure property with intent to
3 commit therein a crime against a person or against property
4 rights, and the property is fenced or enclosed in a manner
5 designed to exclude intruders with posted warning signs.

6 (2) Trespassing on critical electrical infrastructure
7 property is a class C felony."

8 SECTION 3. Section 708-800, Hawaii Revised Statutes, is
9 amended by adding two new definitions to be appropriately
10 inserted and to read as follows:

11 "Critical electrical infrastructure" means facilities,
12 structures, and equipment that are essential for the generation,
13 transmission, or distribution of electricity, including but not
14 limited to:

- 15 (1) A power plant;
- 16 (2) A power generation facility used specifically during
17 times of high demand;
- 18 (3) An electric transmission facility;
- 19 (4) An electric station or substation; or



1 (5) Any other facility, structure, or equipment that is
2 essential in the generation, transmission, or
3 distribution of electricity.

4 "Critical electric infrastructure property" means real
5 property on which critical electric infrastructure is located,
6 but does not include support offices, electric transmission
7 land, or rights-of-way that are not completely enclosed and
8 maintained by the electric utility."

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

12 SECTION 5. New statutory material is underscored.

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



S.B. NO. 2515
S.D. 2

Report Title:

Penal Code; Property Rights; Critical Electrical Infrastructure Property

Description:

Establishes the criminal offense of trespassing on critical electrical infrastructure property. Effective 7/1/2050. (SD2)

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