

Honolulu, Hawaii

FEB 06 , 2020

RE: H.B. No. 2454  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2454 entitled:

"A BILL FOR AN ACT RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE,"

begs leave to report as follows:

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

Your Committee received testimony in support of this measure from the Hawaii State Fire Council, Honolulu Fire Department, Maui Fire Department, Kauai Fire Department, Hawaii Fire Department, and Hawaiian Electric. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure are fundamental to the health, safety, and welfare of the State's residents, visitors, and employees and to the national defense of the country. Your Committee further finds that this measure would provide a proportionate level of protection for this key resource by making criminal trespass on critical electrical infrastructure a felony.




Your Committee has amended this measure by:

- (1) Amending the requisite factors for the offense of criminal trespass on critical electrical infrastructure;
- (2) Providing that entering or remaining unlawfully on the premises of a critical electrical infrastructure constitutes prima facie evidence of a person's intention to commit thereupon a crime against a person or property rights;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2454, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2454, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,

  
NICOLE E. LOWEN, Chair



