

STAND. COM. REP. NO.

3254

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2515
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2515, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the criminal offense of trespassing on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Inc.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure is fundamental to the welfare of Hawaii's residents and visitors, as well as the defense of the state and country; however, existing trespassing laws do not provide a proportionate level of protection for such a key resource. This measure establishes the criminal offense of trespassing on critical electrical infrastructure property as a class C felony to deter potential offenders.

Your Committee has amended this measure by:

- (1) Clarifying the offense of criminal trespass on critical electrical infrastructure property as when a person intentionally and unlawfully enters or remains on



critical electrical infrastructure property with intent to commit therein a crime against a person or against property rights, and the property is fenced or enclosed in a manner designed to exclude intruders with posted warning signs;

- (2) Clarifying the definition of "critical electrical infrastructure" and "critical electrical infrastructure property"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2515, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2515, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 2515 SDI	Committee Referral: CPH, JDC	Date: 2/27/2020		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	/			
KEOHOKALOLE, Jarrett (VC)	/			
GABBARD, Mike	/			
KIM, Donna Mercado	/			
FEVELLA, Kurt		X		
TOTAL	4	1		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes