
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 while ski masks or
2 balaclavas can be used for legitimate purposes like winter wear
3 and certain occupations, they can also conceal identities,
4 potentially aiding criminal activities like theft, vandalism, or
5 violence. Recently, the Philadelphia city council passed a law
6 that bans the use of ski masks in certain public places, such as
7 parks, schools, daycares, public transit, and city-owned
8 buildings, to further deter criminal activity.

9 The legislature further finds that a law prohibiting the
10 use of ski masks or balaclavas in public places serves to ensure
11 public safety and security by helping to prevent unlawful acts
12 and assisting law enforcement with identifying persons engaging
13 in criminal activity.

14 The purpose of this Act is to prohibit the use of ski masks
15 or balaclavas in public places, with certain exceptions.



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

4 "§711-_____ Concealed identity; ski mask or balaclava;
5 public places; prohibited. (1) It shall be unlawful for any
6 person to wear a ski mask or balaclava in a public place or on
7 any mode of public transportation.

8 (2) This section shall not be construed to apply to any
9 person who wears a ski mask or balaclava:

- 10 (a) As part of a traditional holiday costume;
- 11 (b) For a religious purpose;
- 12 (c) While engaged in a trade or employment where they are
13 worn for the purpose of ensuring the physical safety
14 of the wearer;
- 15 (d) In a theatrical production;
- 16 (e) For the purpose of protecting the wearer from the
17 elements while participating in a winter sport; or
- 18 (f) While lawfully engaged in activities protected by the
19 First Amendment of the Constitution of the United
20 States.



H.B. NO. 1575

1 (3) Any person who violates this section shall be fined no
2 more than \$250.

3 (4) For the purposes of this section:

4 "Public place" means an area generally open to the public,
5 regardless of whether it is privately owned, and includes but is
6 not limited to any street, sidewalk, park, parking lot, store,
7 restaurant, school building, recreation center, daycare
8 facility, and government-owned building.

9 "Ski mask or balaclava" means a close-fitting garment
10 covering the whole head and face, with holes for the eyes,
11 mouth, or nose, or any combination of the three."

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY



JAN 16 2024



H.B. NO. 1575

Report Title:

Concealed Identity; Ski Mask or Balaclava; Public Places;
Prohibited

Description:

Prohibits a person from wearing a ski mask or balaclava in
public places, under certain conditions.

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

