

Honolulu, Hawaii
, 2024

MAR 28

RE: S.B. No. 2532
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2532, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Clarify that the definition of "dwelling", as it relates to offenses against property rights, includes multi-unit buildings and clearly marked and secured appurtenant parking or storage areas that are restricted to residents; and
- (2) Allow the owner of a multi-unit building, owner of an individual unit, a property manager, or an authorized representative of the condominium association to act as a complainant for the purpose of investigating and prosecuting an offense of burglary in the first degree in a multi-unit building.

Your Committee received testimony in support of this measure from the Honolulu Police Department; Honolulu Tower Association of Apartment Owners; and four individuals. Your Committee received testimony in opposition to this measure from the Office of the



Public Defender. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that there has been an increase in the number of criminal acts by non-residents in areas of multi-unit buildings that are restricted to residents. Your Committee further finds that there is a need to clarify that the areas in multi-unit buildings that are restricted to residents, such as parking and storage areas within apartment buildings and condominiums, are part of the overall dwelling to ensure acts of theft in these areas are properly investigated and prosecuted as a burglary.

Your Committee has amended this measure by:

- (1) Amending the conditions under which a parking or storage area is included under the definition of "dwelling";
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2532, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2532, S.D. 2, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



