

STAND. COM. REP. NO. **2968**

Honolulu, Hawaii

**MAR 01 2024**

RE: S.B. No. 2532

S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2532, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CRIME,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that the secured areas appurtenant to a building, including a multi-unit building, are included as dwellings for the purposes of prosecuting offenses under chapter 708, Hawaii Revised Statutes; and
- (2) Allow the owner of a multi-unit building, a property manager, or an authorized representative of the condominium association to act as a complainant for the purpose of investigating and prosecuting a burglary in the first degree in a multi-unit building.

Your Committee received testimony in support of this measure from the 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 certain individuals, who are neither residents nor guests of a multi-unit dwelling, have increasingly engaged in illicit activities within the secured areas of multi-unit dwellings, which include secured parking and storage areas. However, law enforcement officers and prosecutors often choose not to investigate and charge crimes that occur in these areas as burglaries because they are not obvious "dwellings", despite the very real threat these crimes pose to building residents. This measure will deter criminal acts from occurring in secured areas of multi-unit dwellings.

Your Committee has amended this measure by replacing language that would have specified certain qualifications of an appurtenant parking or storage area that is a "dwelling" with language clarifying that an appurtenant parking or storage area must have its entry clearly restricted to only the building's residents, by means of signage or security apparatus or both, to qualify as a "dwelling".

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. 2532, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2532, S.D. 2.

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



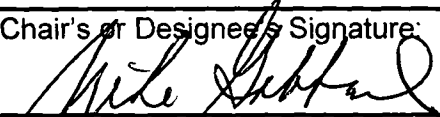
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KARL RHOADS, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2532 SD1	CPN, JDC	02   29   24		
<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)	✓			
GABBARD, Mike (VC)	✓			
ELEFANTE, Brandon J.C.	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	4	—	1	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes