

STAND. COM. REP. NO.

1470

Honolulu, Hawaii

MAR 21 , 2025

RE: S.B. No. 371
S.D. 2
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Public Safety, to which was referred S.B. No. 371, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY DAMAGE OF CRITICAL INFRASTRUCTURE FACILITIES,"

begs leave to report as follows:

The purpose of this measure is to establish the offense of criminal property damage to critical infrastructure facilities in the first and second degree.

Your Committee received testimony in support of this measure from the Department of the Prosecuting Attorney of the County of Maui; Charter Communications; Hawaiian Electric; CTIA; and one individual. 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 modern life increasingly relies on the electrical grid to provide power for essential services, such as respiratory devices, temperature control, and emergency response, as well as other public and private systems, such as gas, water, and telecommunications networks. This heightened reliance makes the State very vulnerable to any criminal act that

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damages this infrastructure. Although existing laws may address particular actions or impose specific penalties, as a whole, they do not deal with a scenario in which a bad actor intentionally or knowingly damages critical infrastructure.

Your Committee has amended this measure by:

- (1) Removing "reckless" and "negligent" as mental states in the proposed offense of criminal property damage to critical infrastructure facilities in the first and second degree; and
- (2) Changing its effective date to July 1, 3000, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Public Safety that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 371, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 371, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety,



DELLA AU BELATTI, Chair



