
A BILL FOR AN ACT

RELATING TO SOLID WASTE CONTROL.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 342H-37, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Felony disposal of solid waste is a class C felony
4 for which a maximum fine of \$50,000 for each separate offense
5 may be imposed~~[-]~~; provided that any person who violates this
6 section shall be fined not less than:

7 (1) \$2,500 for the first offense under this section; and

8 (2) \$10,000 for each subsequent offense under this
9 section.

10 Each day of violation shall constitute a separate offense.

11 (d) Any vehicle used in the commission of an offense under
12 this section shall be seized for forfeiture to the State,
13 subject to the requirements of chapter 712A."

14 SECTION 2. Section 342H-39, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) Petty misdemeanor disposal of solid waste ~~[is]~~ shall
17 be punishable by:



1 (1) A fine of not more than \$25,000 for each separate
2 offense; provided that:

3 (A) For the first offense under this section, petty
4 misdemeanor disposal of solid waste shall be
5 punishable by:

6 (i) A mandatory minimum fine of \$500;

7 (ii) Twenty hours of community service to be
8 completed by collecting and lawfully
9 disposing of solid waste; and

10 (iii) Not more than thirty days imprisonment; and

11 (B) For the second offense under this section, petty
12 misdemeanor disposal of solid waste shall be
13 punishable by:

14 (i) A mandatory minimum fine of \$1,000;

15 (ii) Fifty hours of community service to be
16 completed by collecting and lawfully
17 disposing of solid waste; and

18 (iii) Not more than sixty days imprisonment; and

19 ~~[-(2) Not more than thirty days imprisonment for each~~
20 ~~offense; or~~



1 ~~(3)]~~ (2) Revocation or suspension by court order of any
2 contractor's license or any applicable certificate of
3 authorization from the public utilities commission.

4 Each day of violation shall constitute a separate offense."

5 SECTION 3. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun, before its effective date.

8 SECTION 4. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2007.



Report Title:

Solid Waste Control; Penalties

Description:

Increases criminal penalties for illegal disposal of solid waste. Authorizes forfeiture of vehicle used in illegal dumping. (HD1)

