

---

---

# A BILL FOR AN ACT

RELATING TO CONTROLLED SUBSTANCES.

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

1           SECTION 1. The Legislature finds that the use of and  
2 addiction to methamphetamine, known as "ice", and other  
3 controlled substances has reached epidemic proportions and is  
4 considered a serious public health crisis. Enhanced criminal  
5 penalties are necessary to protect Hawaii's citizens and  
6 visitors from the dangerous effects of this epidemic.

7           The purpose of this Act is to make promoting a controlled  
8 substance in, on, or near a county, state, or federal historic  
9 property a penal offense.

10          SECTION 2. Chapter 712, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13          "§712-       Promoting a controlled substance in, on, or near  
14 county, state, or federal historic property. (1) A person  
15 commits the offense of promoting a controlled substance in, on,  
16 or near county, state, or federal historic property if the  
17 person knowingly:



1        (a) Distributes or possesses with intent to distribute a  
2        controlled substance in any amount in or on the real  
3        property comprising a county, state, or federal  
4        historic property;

5        (b) Distributes or possesses with intent to distribute a  
6        controlled substance in any amount within seven  
7        hundred fifty feet of the real property comprising a  
8        county, state, or federal historic property; or

9        (c) Manufactures methamphetamine or any of its salts,  
10       isomers, and salts of isomers, within seven hundred  
11       fifty feet of the real property comprising a county,  
12       state, or federal historic property.

13       (2) A person who violates subsection (1) (a) or (b) is  
14       guilty of a class C felony. A person who violates subsection  
15       (1) (c) is guilty of a class A felony.

16       (3) Any person with prior conviction or convictions under  
17       subsection (1) (a) or (b) is punishable by a term of imprisonment  
18       of not less than two years and not more than ten years.

19       (4) Any individual convicted under subsection (3) of this  
20       section shall not be eligible for parole until the individual  
21       has served the minimum sentence required by the subsection."



1 SECTION 3. Section 712-1240, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Historic property" means any building, structure, object,  
5 district, area, or site, including any heiau and any underwater  
6 site, which is over fifty years old and listed on the Hawaii  
7 register of historic places or the national register of historic  
8 places."

9 SECTION 4. New statutory material is underscored.

10 SECTION 5. This Act shall take effect upon its approval.

11

Burton Maramba

INTRODUCED BY:

~~AM~~

Josephine  
Carroll

Mele Carroll

Tom Brown

Dynia Maynard

John M. Nigro  
Paul Nishida

Karen Awana

John

Reggie

ATD

Tony Vata

Proctor T.R. Cabanilla

Markus Lee



John Wood

Thomas

Cindy Brown

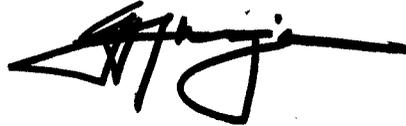
H.B. NO. 1911

Ricardo T. R. Cabanilla

John M. Myers

Della C. Belatti

Hal Wood



Kiril Caldwell

JAN 24 2007



**Report Title:**

Controlled Substance; Offense; Historic Property

**Description:**

Makes it a penal offense to promote a controlled substance in, on, or near a county, state, or federal historic property.

