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## A BILL FOR AN ACT

RELATED TO THEFT.

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

1           SECTION 1. The legislature finds that the theft of copper  
2 wires from State parks and highways is a growing problem that,  
3 if not corralled, can grow into a potentially difficult problem  
4 to deal with.

5           The legislature finds that this kind of theft results in  
6 millions of dollars of loss throughout the United States.

7           The purpose of this Act is to deter the theft of copper  
8 wires and other valuable resources by increasing the severity of  
9 the consequences.

10          SECTION 2. Section 708-831, Hawaii Revised Statutes, is  
11 amended to read as follows:

12          "§708-831 Theft in the second degree. (1) A person  
13 commits the offense of theft in the second degree if the person  
14 commits theft:

15           (a) Of property from the person of another;

16           (b) Of property or services the value of which exceeds  
17                 \$300;



- 1 (c) Of an aquacultural product or part thereof from  
2 premises that is fenced or enclosed in a manner  
3 designed to exclude intruders or there is prominently  
4 displayed on the premises a sign or signs sufficient  
5 to give notice and reading as follows: "Private  
6 Property"; or
- 7 (d) Of agricultural equipment, supplies, or products, or  
8 part thereof, the value of which exceeds \$100 but does  
9 not exceed \$20,000, or of agricultural products that  
10 exceed twenty-five pounds, from premises that are  
11 fenced, enclosed, or secured in a manner designed to  
12 exclude intruders or there is prominently displayed on  
13 the premises a sign or signs sufficient to give notice  
14 and reading as follows: "Private Property." The sign  
15 or signs, containing letters not less than two inches  
16 in height, shall be placed along the boundary line of  
17 the land in a manner and in such position as to be  
18 clearly noticeable from outside the boundary line.  
19 Possession of agricultural products without ownership  
20 and movement certificates, when a certificate is  
21 required pursuant to chapter 145, is prima facie  
22 evidence that the products are or have been stolen.



1        (e) Of any wiring from a public park or highway.  
2        (2) Theft in the second degree is a class C felony. A  
3 person convicted of committing the offense of theft in the  
4 second degree under [subsection (1)] [~~(e) and (d)~~] (c), (d), and  
5 (e) shall be sentenced in accordance with chapter 706, except  
6 that for the first offense, the court may impose a minimum  
7 sentence of a fine of at least \$1,000 or two-fold damages  
8 sustained by the victim, whichever is greater.

9        (3) For the purpose of this section:

10        "Highway" means any road, highway, or the like that is  
11        regulated, governed, or maintained by the State of  
12        Hawaii or any of its political subdivisions.

13        "Public Park" means any park that is regulated,  
14        governed, or maintained by the State of Hawaii or any  
15        of its political subdivisions.

16        "Wiring" means usually pliable metallic strand or rod  
17        sometimes clad, and often electrically insulated, used  
18        chiefly for structural support or to conduct  
19        electricity inside, apart of, or used to be a part of  
20        any type of thing.

21        SECTION 3. New statutory material is underscored.

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1 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Theft

**Description:**

Makes theft of wiring a felony.

