
A BILL FOR AN ACT

RELATING TO THEFT IN THE SECOND DEGREE.

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

1 SECTION 1. In 2006, Hawaii's crime index rate decreased a
2 total of 9.7 per cent from 2005. This included reductions in
3 the rate of all three of the property crimes that are considered
4 index crimes. In 2006, burglaries were down 13.8 per cent;
5 larceny-theft realized a decrease of 9.1 per cent; and motor
6 vehicle thefts experienced a 13.5 per cent decline. Overall,
7 Hawaii's property index crime rate in 2006 was 4,256 offenses
8 per 100,000 residents.

9 The legislature finds that the threshold value of stolen
10 property or services constituting second degree theft has not
11 been amended for twenty years. The purpose of this Act is
12 update the offense of second degree theft to reflect changes in
13 the dollar's value and therefore increase the amount that would
14 incur a felony charge.

15 SECTION 2. Section 708-831, Hawaii Revised Statutes, is
16 amended by amending subsection (1) to read as follows:

17 "(1) A person commits the offense of theft in the second
18 degree if the person commits theft:



- 1 (a) Of property from the person of another;
- 2 (b) Of property or services the value of which exceeds
- 3 ~~[\$300]~~ \$1,000;
- 4 (c) Of an aquacultural product or part thereof from
- 5 premises that is fenced or enclosed in a manner
- 6 designed to exclude intruders or there is prominently
- 7 displayed on the premises a sign or signs sufficient
- 8 to give notice and reading as follows: "Private
- 9 Property"; or
- 10 (d) Of agricultural equipment, supplies, or products, or
- 11 part thereof, the value of which exceeds \$100 but does
- 12 not exceed \$20,000, or of agricultural products that
- 13 exceed twenty-five pounds, from premises that are
- 14 fenced, enclosed, or secured in a manner designed to
- 15 exclude intruders or there is prominently displayed on
- 16 the premises a sign or signs sufficient to give notice
- 17 and reading as follows: "Private Property". The sign
- 18 or signs, containing letters not less than two inches
- 19 in height, shall be placed along the boundary line of
- 20 the land in a manner and in such position as to be
- 21 clearly noticeable from outside the boundary line.
- 22 Possession of agricultural products without ownership



1 and movement certificates, when a certificate is
2 required pursuant to chapter 145, is prima facie
3 evidence that the products are or have been stolen."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

7
INTRODUCED BY:

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Report Title:

Theft; Second Degree

Description:

Increases the minimum value of stolen property or services constituting theft in the second degree from \$300 to \$1000.

