

STAND. COM. REP. NO.

2611

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2278
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2278, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose of this measure is to amend the criminal trespass statute to include entering or unlawfully remaining at any public housing project or state low-income housing project after receiving reasonable warning or request to leave the premises by the authorities.

Written comments presented to the Committee may be reviewed on the Legislature's website.

This measure strengthens the Hawaii Public Housing Authority's ability to timely address dangerous and disruptive elements at public and low-income housing projects to improve the safety and security of public and low-income housing residents and communities. Your Committee is aware that current law does not provide law enforcement agencies and the Hawaii Public Housing Authority with clear authority to deal effectively with some situations where unauthorized persons enter public housing residential premises and do damage to property or otherwise jeopardize the safety and security of the housing community, as well as the peaceful enjoyment by residents of their homes. This measure provides public housing authorities with clear authority to issue warnings and requests to trespassers to leave the



premises and to have trespassers who do not obey such warnings and requests cited and arrested, if necessary.

Your Committee has amended this measure by:

- (1) Adding police officers to those authorities authorized to issue warnings and requests to leave public and low-income housing project premises;
- (2) Changing "housing authorities" to "housing authority management" in order to explicitly define those who have the authority to issue warnings and requests to leave the premises as housing authority employees or agents officially designated by the Hawaii Public Housing Authority to enforce rules or manage the housing project; and
- (3) Making technical, nonsubstantive changes to ensure clarity and accuracy in the language of this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2278, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2278, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.: SB 2278, SDI	Committee Referral: EDH, JGO	Date: 2/19/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"><input type="checkbox"/> Pass, unamended 2312</div> <div style="text-align: center;"><input checked="" type="checkbox"/> Pass, with amendments 2311</div> <div style="text-align: center;"><input type="checkbox"/> Hold 2310</div> <div style="text-align: center;"><input type="checkbox"/> Recommit 2313</div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)				✓
BUNDA, Robert	✓			
GABBARD, Mike	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	5	—	—	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;"> </div>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

***Only one measure per Record of Votes**