A BILL FOR AN ACT

RELATING TO THEFT OF PERSONAL ELECTRONIC DEVICES.

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

1	SECT:	ION 1. Section 708-831, Hawaii Revised Statutes, is
2	amended by	y amending subsection (1) to read as follows:
3	"(1)	A person commits the offense of theft in the second
4	degree if	the person commits theft:
5	(a)	Of property from the person of another;
6	(b)	Of property or services the value of which exceeds
7	,	\$300;
8	(c)	Of an aquacultural product or part thereof from
9		premises that are fenced or enclosed in a manner
10		designed to exclude intruders or there is prominently
11		displayed on the premises a sign or signs sufficient
12		to give notice and reading as follows: "Private
13		Property", "No Trespassing", or a substantially
14		similar message;
15	(d)	Of agricultural equipment, supplies, or products, or
16		part thereof, the value of which exceeds \$100 but does
17		not exceed \$20,000, or of agricultural products that
18		exceed twenty-five pounds, from premises that are

1		fenced, enclosed, or secured in a manner designed to
2		exclude intruders or there is prominently displayed on
3		the premises a sign or signs sufficient to give notice
4		and reading as follows: "Private Property", "No
5	,	Trespassing", or a substantially similar message; or
6		if at the point of entry of the premise, a crop is
7		visible. The sign or signs, containing letters not
8		less than two inches in height, shall be placed along
9		the boundary line of the land in a manner and in such
.0		position as to be clearly noticeable from outside the
.1		boundary line. Possession of agricultural products
.2		without ownership and movement certificates, when a
.3		certificate is required pursuant to chapter 145, is
.4		prima facie evidence that the products are or have
.5		been stolen; [ox]
.6	(e)	Of agricultural commodities that are generally known
.7		to be marketed for commercial purposes. Possession of
.8		agricultural commodities without ownership and
.9		movement certificates, when a certificate is required
20		pursuant to section 145-22, is prima facie evidence

that the products are or have been stolen; provided

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1		that "agriculture commodities" has the same meaning as
2		in section 145-21[-]; or
3	<u>(f)</u>	Of any personal computer, laptop computer, tablet
4		computer, cellular phone, personal digital assistant,
5		or any other personal electronic device capable of
6		storing or retrieving personal information, as that
7		term is defined in section 487D-1."
8	SECTI	ON 2. This Act does not affect rights and duties that
9	matured, p	enalties that were incurred, and proceedings that were
10	begun befo	re its effective date.
11	SECTI	ON 3. Statutory material to be repealed is bracketed
12	and strick	en. New statutory material is underscored.
13	SECTI	ON 4. This Act shall take effect upon its approval.
14		$\mathcal{M}_{\mathcal{L}}$
		INTRODUCED BY:
		1 . W. W. I.
		Gothin Thicken

H.B. NO. 2080

Report Title:

Theft; Personal Electronic Devices

Description:

Establishes a class C felony for theft of personal electronic devices that may be used to store or retrieve personal information.

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