HOUSE OF REPRESENTATIVES TWENTY-EIGHTH LEGISLATURE, 2015 STATE OF HAWAII

H.B. NO. 744

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A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

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

1 SECTION 1. The purpose of this Act is to amend chapter 2 712, Hawaii Revised Statutes, part V, relating to nuisance abatement, by adding part III, gambling offenses, to the list of 3 4 qualifying offenses giving rise to a nuisance that may be enjoined, abated, or prevented. The legislature finds that the 5 6 Honolulu police department has often used the nuisance abatement 7 law to remind owners and landlords about their responsibility to 8 monitor the use of their property. However, gambling offenses are not listed as qualifying offenses even though gambling rooms 9 have been the scene of extremely violent crimes, such as 10 11 homicides, and are known to be used for the distribution of 12 narcotics. Currently, there are no consequences for owners who fail to take action regarding the ongoing gambling activity 13 14 occurring on their property.

Accordingly, the purpose of this Act is to enhance public
safety by amending section 712-1270, Hawaii Revised Statutes,
with regard to nuisance abatement, to include gambling offenses.



H.B. NO. 364

1	SECTION 2. Section 712-1270, Hawaii Revised Statutes, is
2	amended to read as follows:
3	"§712-1270 Places used to commit offenses against public
4	health and morals, a nuisance. Every building, premises, or
5	place used for the purpose of violating:
6	(1) Those laws pertaining to offenses against public
7	health and morals contained in parts I, II, [and] <u>III,</u>
8	or IV of this chapter, except offenses under part IV
9	[which] <u>that</u> do not involve the manufacture or
10	distribution of drugs; or
11	(2) Section 132D-14(a)(1) or (3),
12	and every building, premises, or place in or upon which the
13 -	violations are held or occur in parts I, II, [and] <u>III, or</u> IV,
14	or section 132D-14(a)(1) or (3), is a nuisance that shall be
15	enjoined, abated, and prevented, regardless of whether it is a
16	public or private nuisance."
17	SECTION 3. This Act does not affect rights and duties that
18	matured, penalties that were incurred, and proceedings that were
19 [°]	begun before its effective date.
20	SECTION 4. Statutory material to be repealed is bracketed
21	and stricken. New statutory material is underscored.



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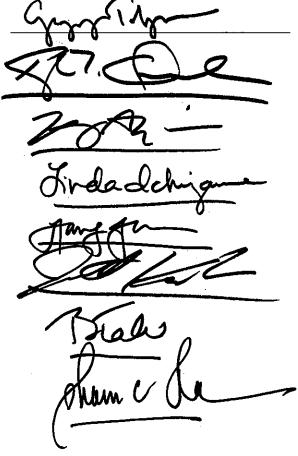
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SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 2 3 2015





Report Title: Nuisance Abatement; Gambling Offenses

Description:

Adds a building, premise, and place in which a gambling offense is committed as a nuisance that is subject to abatement.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

