

JAN 22 2016

A BILL FOR AN ACT

RELATING TO FAILURE TO CONTROL WIDELY DANGEROUS MEANS.

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

SECTION 1. Section 708-824, Hawaii Revised Statutes, is amended to read as follows:

"§708-824 Failure to control widely dangerous means. (1)
A person commits the offense of failure to control widely dangerous means ~~[if, knowing that widely dangerous means are endangering life or property,]~~ if the person negligently fails to take measures to prevent or mitigate the danger to life or property and:

(a) The person knows that the person is under an official, contractual, or other legal duty to take measures to prevent, control, or mitigate the danger; ~~[or]~~

(b) The means were employed by the person or with the person's assent, or on premises in the person's custody or control ~~[or]~~ or

(c) The person ignites, detonates, or explodes a bomb-like device in or over a residential neighborhood or within one hundred feet of a business establishment.



1 As used in this paragraph, the term "bomb-like" means
2 a container filled with explosive, incendiary
3 material, smoke, gas, or other destructive substance,
4 designed to explode on impact or when detonated by a
5 time mechanism, remote-control device, or lit fuse,
6 and includes the unauthorized use of any aerial device
7 and articles of pyrotechnics as those terms are
8 defined in section 132D-2.

9 (2) Failure to control widely dangerous means is a
10 misdemeanor[-]; provided that subsection (1)(c) is punishable by
11 a fine of up to \$2,000."

12 SECTION 2. This Act does not affect rights and duties that
13 matured, penalties that were incurred, and proceedings that were
14 begun before its effective date.

15 SECTION 3. Statutory material to be repealed is bracketed
16 and stricken. New statutory material is underscored.

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

18 INTRODUCED BY:

Will Eger
Rod E. P. [unclear]
Michelle [unclear]



S.B. NO. 2205

Report Title:

Failure to Control Widely Dangerous Means; Bomb-like Devices

Description:

Amends the offense of failure to control widely dangerous means to include igniting a bomb-like device in a residential neighborhood or near a business establishment if the person ignites, detonates, or explodes a bomb-like device in or over a residential neighborhood or within one hundred feet of a business establishment and the person does not take steps to prevent or mitigate the danger to life or property. Defines "bomb-like". Imposes a fine of up to \$2,000.

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