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# A BILL FOR AN ACT

RELATING TO SCHOOLS.

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

- 1           SECTION 1. Section 708-813, Hawaii Revised Statutes, is  
2 amended by amending subsection (1) to read as follows:
- 3           "(1) A person commits the offense of criminal trespass in  
4 the first degree if:
- 5           (a) That person knowingly enters or remains unlawfully:
- 6                 (i) In a dwelling; or
- 7                 (ii) In or upon the premises of a hotel or apartment  
8 building;
- 9           (b) That person:
- 10                 (i) Knowingly enters or remains unlawfully in or upon  
11 premises that are fenced or enclosed in a manner  
12 designed to exclude intruders; and
- 13                 (ii) Is in possession of a firearm, as defined in  
14 section 134-1, at the time of the intrusion; [œ]
- 15           (c) That person enters or remains unlawfully in or upon  
16 the premises of any public school as defined in  
17 section 302A-101, or any private school, after



1 reasonable warning or request to leave by school  
 2 authorities or a police officer; provided however,  
 3 [~~sueh~~] the warning or request to leave shall be  
 4 unnecessary between 10:00 p.m. and 5:00 a.m.; or

5 (d) That person enters or remains in or upon the street,  
 6 sidewalk, or public way immediately adjacent to any  
 7 school property, or any public right-of-way situated  
 8 immediately adjacent to school property:

9 (i) During regular school hours or within one hour  
 10 before or after the school day or one hour before  
 11 or after a school-sponsored activity;

12 (ii) Without a lawful business purpose;

13 (iii) In interference with or disruption of the orderly  
 14 operation, safety, or peaceful conduct of the  
 15 school or school activity, through the person's  
 16 presence or intentional actions; and

17 (iv) After reasonable warning or request to leave by  
 18 school authorities or a police officer."

19 SECTION 2. This Act does not affect rights and duties that  
 20 matured, penalties that were incurred, and proceedings that were  
 21 begun before its effective date.



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1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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# H.B. NO. 944

**Report Title:**

Criminal Trespass; Schools; Roads; Streets; Highways

**Description:**

Prohibits persons from interfering with or disrupting the orderly operation, safety, or peaceful conduct of a school or school-related activity.

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

