
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; [~~or~~]

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
18 reasonable warning or request to leave by school



1 authorities or a police officer; provided however,
2 [~~such~~] the warning or request to leave shall be
3 unnecessary between 10:00 p.m. and 5:00 a.m.; or
4 (d) That person enters or remains in or upon the street,
5 sidewalk, or public way immediately adjacent to any
6 school property, or any public right-of-way situated
7 immediately adjacent to school property:
8 (i) During regular school hours or within one hour
9 before or after the school day or one hour before
10 or after a school-sponsored activity;
11 (ii) Without a lawful business purpose;
12 (iii) In interference with or disruption of the orderly
13 operation, safety, or peaceful conduct of the
14 school or school activity, through the person's
15 presence or intentional actions; and
16 (iv) After reasonable warning or request to leave by
17 school authorities or a police officer;
18 unless the person is engaged in conduct that is
19 protected under the Constitution of the United
20 States."



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

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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

7



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. (SD1)

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