
A BILL FOR AN ACT

RELATING TO TRESPASS.

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

1 SECTION 1. The legislature finds that although the United
2 States Coast Guard closed Haiku stairs, also known as "stairway
3 to heaven," in 1987 due to vandalism and liability concerns,
4 hikers illegally access the trail every day despite fences, a
5 security guard, and warning signs. The legislature also finds
6 that to access the trail, hikers often trespass on private
7 property. Some residents report that these illegal hikers are
8 damaging their property and stealing fruit from their trees.

9 The purpose of this Act is to prevent individuals from
10 trespassing in or upon private residential premises by
11 increasing the penalties for simple trespass and criminal
12 trespass in the second degree.

13 SECTION 2. Section 708-814, Hawaii Revised Statutes, is
14 amended by amending subsection (4) to read as follows:

15 "(4) Criminal trespass in the second degree is a petty
16 misdemeanor[-]; provided that if the person enters or remains



1 unlawfully in or upon private residential premises, the penalty
2 for criminal trespass in the second degree is a misdemeanor."

3 SECTION 3. Section 708-815, Hawaii Revised Statutes, is
4 amended by amending subsection (2) to read as follows:



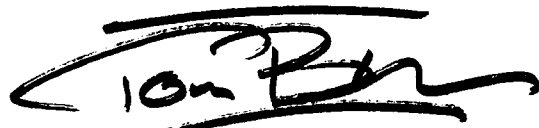

5 "(2) Simple trespass is a violation[-]; provided that if
6 the person enters or remains unlawfully in or upon private
7 residential premises, the penalty for simple trespass is a petty
8 misdemeanor."

9 SECTION 4. This Act does not affect rights and duties that
10 matured, penalties that were incurred, and proceedings that were
11 begun before its effective date.

12 SECTION 5. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2018.

15
INTRODUCED BY:

JAN 24 2018



H.B. NO. 2636

Report Title:

Criminal Trespass; Simple Trespass; Residential Premises;
Penalties

Description:

Increases the penalties for simple trespass and criminal trespass in the second degree for individuals who enter or remain unlawfully in or upon private residential premises.

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