

Honolulu, Hawaii

APR 01 , 2019

RE: S.B. No. 566
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 566, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose of this measure is to prevent the attachment of objects to fences and other structures without permission, and to facilitate the removal of objects attached in this manner, by establishing the criminal offense of unauthorized attachment of an object to a fence, gate, or wall.

The Office of the Public Defender, Honolulu Police Department, and an individual testified in opposition to this measure.

Your Committee has amended this measure by:

- (1) Requiring law enforcement officers to issue a written warning for the first offense;
- (2) Amending the classification of offenses committed within one year of a previous offense from a petty misdemeanor to a violation subject to a \$100 fine;



- (3) Changing its effective date to January 28, 2081; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 566, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 566, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



CHRIS LEE, Chair



HSCR 1918

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: <i>SB 506 SDI</i>	Committee Referral: <i>JUD</i>	Date: <i>3/18/19</i>
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The committee is reconsidering its previous decision on the measure.

The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold
 Pass short form bill with HD to recommit for future public hearing (recommit)

JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. LEE, Chris (C)	/			
2. SAN BUENAVENTURA, Joy A. (VC)	/			
3. BROWER, Tom	/			
4. CREAGAN, Richard P.	/			
5. LOWEN, Nicole E.				/
6. McKELVEY, Angus L.K.				/
7. MORIKAWA, Dee	/			
8. SAY, Calvin K.Y.	/			
9. TAKAYAMA, Gregg		/		
10. YAMANE, Ryan I.				/
11. THIELEN, Cynthia	/			
TOTAL (11)				
	<i>7</i>	<i>1</i>		<i>3</i>

The recommendation is: Adopted Not Adopted
 If joint referral, _____ did not support recommendation.
committee acronym(s)

Vice Chair's or designee's signature:

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