

STAND. COM. REP. NO. 781

Honolulu, Hawaii

FEB 28 2019

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

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

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

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

begs leave to report as follows:

The purpose and intent of this measure is to establish the offense of unauthorized attachment of an object to a fence, gate, or wall, which is committed when a person knowingly attaches an object to a fence, gate, wall, or other structure or barrier without the owner's permission.

Your Committee received testimony in opposition to this measure from the Office of the Public Defender and Honolulu Police Department.

Your Committee finds that objects, such as tents and other structures, that obstruct public sidewalks are increasingly being anchored or attached to adjacent property, such as fences belonging to private owners. Your Committee further finds that existing law does not appear to empower law enforcement officers to summarily detach these objects from private property. This measure will discourage the attachment of objects to fences and other structures without permission and facilitate the removal of objects attached in this manner.



Your Committee has amended this measure by making stylistic, nonsubstantive amendments for the purposes of clarity and consistency.

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, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 566, S.D. 1, and be placed on the calendar for Third Reading.

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



KARL RHOADS, Chair



