
A BILL FOR AN ACT

RELATING TO CRITICAL ELECTRICAL INFRASTRUCTURE.

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

1 SECTION 1. The legislature finds that the security and
2 resilience of Hawaii's critical electrical infrastructure is
3 fundamental to the health, safety, and welfare of the State's
4 residents, visitors, and employees and to the national defense
5 of the country. The legislature acknowledges that modern
6 society functions because of safe, affordable, and reliable
7 electrical power. The legislature further finds that existing
8 trespass laws do not provide a proportionate level of protection
9 for such a key resource.

10 The purpose of this Act is to protect the public and
11 electric utility employees, ensure reliable electrical service
12 in the State, and decrease damage to critical electrical
13 infrastructure caused by trespassing by establishing the offense
14 of criminal trespass on critical electrical infrastructure.

15 SECTION 2. Section 708-800, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:



1 "Critical electric infrastructure" means any facility used
2 to support the generation, transmission, or distribution of
3 electricity, including but not limited to power plants, power
4 generation facility peakers, electric transmission facilities,
5 or electric stations or substations. "Critical electric
6 infrastructure" does not include electric transmission land or
7 right-of-way that is not completely enclosed and maintained by
8 an electric utility."

9 SECTION 3. Chapter 708, Hawaii Revised Statutes, is
10 amended by adding a new section to be appropriately designated
11 and to read as follows:

12 "§708- Criminal trespass on critical electrical
13 infrastructure. (1) A person commits the offense of
14 trespassing on critical electrical infrastructure when the
15 person, in the course of committing the offense:

16 (a) Intentionally enters or unlawfully remains on the
17 property of a critical electrical infrastructure with
18 intent to commit therein a crime against a person or
19 against property rights and the property is fenced or
20 enclosed in a manner designed to exclude intruders
21 with posted warning signs; or



1 (b) Recklessly disregards a risk that the property belongs
2 to a critical electrical infrastructure company.

3 (2) An act occurs "in the course of committing the
4 offense" if it occurs in effecting entry or while on the
5 property or in immediate flight therefrom.

6 (3) Trespassing on a critical electrical infrastructure is
7 a class C felony.

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

11 SECTION 5. New statutory material is underscored.

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

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H.B. NO. 2454

Report Title:

Trespassing; Critical Electrical Infrastructure; Criminal
Trespass

Description:

Establishes the offense of criminal trespass on critical
electrical infrastructure.

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