
A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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 and welfare of not only its residents,
4 visitors, and employees, but to the national defense of the
5 country. The legislature acknowledges that modern society
6 functions because of safe, affordable, and reliable electrical
7 power. However, existing trespassing laws do not provide a
8 proportionate level of protection for such a key resource.

9 The purpose of this Act is to protect the public and
10 critical electrical utilities by establishing the offense of
11 trespassing on critical electrical infrastructure.

12 SECTION 2. Chapter 708, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§708- Criminal trespass on critical electrical
16 infrastructure. (1) A person commits the offense of criminal
17 trespass on critical electrical infrastructure when:



1 (a) The person intentionally enters or remains unlawfully
2 on property of a critical electrical infrastructure
3 with intent to commit therein a crime against a person
4 or against property rights, and the property is fenced
5 or enclosed in a manner designed to exclude intruders
6 with posted warning signs; or

7 (b) The person recklessly disregards a risk that the
8 property belongs to a critical electrical
9 infrastructure company.

10 (2) An act occurs in the course of committing the offense
11 if it occurs in effecting entry or while on the property or in
12 immediate flight therefrom.

13 (3) Trespassing on a critical electrical infrastructure is
14 a class C felony."

15 SECTION 3. Section 708-800, Hawaii Revised Statutes, is
16 amended by adding a new definition to be appropriately inserted
17 and to read as follows:

18 "Critical electrical infrastructure" means areas integral
19 to the operation or function of:

20 (1) A power plant;



1 (2) A power generation facility used specifically during
2 times of high demand;

3 (3) An electric transmission facility;

4 (4) An electric station or substation; or

5 (5) Any other facility used to support the generation,
6 transmission, or distribution of electricity.

7 "Critical electric infrastructure" does not include support
8 offices, electric transmission land, or right-of-way that is not
9 completely enclosed and maintained by the electric utility."

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

13 SECTION 5. New statutory material is underscored.

14 SECTION 6. This Act shall take effect on July 1, 2050.



S.B. NO. 2515
S.D. 1

Report Title:

Penal Code; Property Rights; Critical Electrical Infrastructure

Description:

Establishes the criminal offense of trespassing on critical electrical infrastructure. Effective 7/1/2050. (SD1)

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