
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 are
3 fundamental to the health and welfare of the State's residents,
4 visitors, and employees and 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 if the person



1 intentionally enters or remains unlawfully on property of a
2 critical electrical infrastructure, with intent to commit
3 therein a crime against a person or against property rights,
4 and:

5 (a) The property is fenced, enclosed, or secured in a
6 manner designed to exclude intruders with posted
7 warning signs; or

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

11 (2) Criminal trespass on critical electrical
12 infrastructure is a class C felony."

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

16 "Critical electrical infrastructure" means areas integral
17 to the operation or function of:

18 (1) A power plant;

19 (2) An electric transmission facility;

20 (3) An electric station or substation; or



1 (4) Any other facility used to support the generation,
2 transmission, or distribution of electricity.
3 "Critical electrical infrastructure" does not include support
4 offices, land used for the transmission of electricity, or
5 right-of-way that is not completely enclosed and maintained by
6 the electric utility."

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

10 SECTION 5. New statutory material is underscored.

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



Report Title:

Critical Electrical Infrastructure; Criminal Trespass; Class C
Felony

Description:

Establishes the offense of criminal trespass on critical
electrical infrastructure and makes it a class C felony. (HD1)

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not legislation or evidence of legislative intent.*

