

STAND. COM. REP. NO. 802

Honolulu, Hawaii

MAR 02 , 2023

RE: H.B. No. 364

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 364 entitled:

"A. BILL FOR AN ACT RELATING TO TRESPASS,"

begs leave to report as follows:

The purpose of this measure is to authorize and require all state and county law enforcement officers to enforce trespass laws, regardless of jurisdiction, when trespass involves public lands.

Your Committee received testimony in support of this measure from the Hawaii State Public Library System and University of Hawai'i System. Your Committee received testimony in opposition to this measure from three individuals.

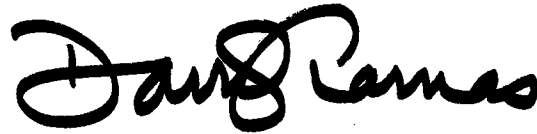
Your Committee finds that jurisdictional uncertainties over who owns a piece of public land can deter a response from law enforcement to remove trespassers. This absence of action by law enforcement can hinder the ability of public agencies in the provision of public services and impact public safety. This measure is intended to remove jurisdictional confusion by authorizing all state and county law enforcement officers to respond to instances of people trespassing on public lands regardless of who owns the land.

2023-2175 HB364 HSCR HMSO



As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 364 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



---

DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>HB364</b>	Committee Referral: <b>JHA</b>	Date: <b>2/24/2023</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	/			
2. TAKAYAMA, Gregg (VC)	/			
3. GANADEN, Sonny	/			
4. HOLT, Daniel				✓
5. HASHIMOTO, Troy N.	/			
6. ICHIYAMA, Linda	/			
7. ILAGAN, Greggor	/			
8. KONG, Sam Satoru	/			
9. MIZUNO, John M.	/			
10. SOUZA, Kanani	/			
<b>TOTAL (10)</b>	<b>9</b>	<b>-</b>	<b>-</b>	<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				