

JAN 19 2024

A BILL FOR AN ACT

RELATING TO BURIAL SITES.

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

1 SECTION 1. The legislature finds that it is necessary to
2 reflect the seriousness of the act of disturbing human remains
3 from burial sites without consent.

4 Therefore, the purpose of this Act is to increase the
5 penalty for the desecration of burial sites from a misdemeanor
6 to a felony to deter potential violators from harming burial
7 sites.

8 SECTION 2. Section 6E-72, Hawaii Revised Statutes, is
9 amended by amending subsection (b) to read as follows:

10 "(b) Taking, appropriation, excavation, injury,
11 destruction, or alteration of a burial site is a [~~misdemeanor~~]
12 felony for which a fine not to exceed \$25,000 [~~may~~] shall be
13 imposed, in addition to any other penalty authorized by chapter
14 706 for a [~~misdemeanor~~] felony."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect upon its approval.

4

INTRODUCED BY:  _____



S.B. NO. 2589

Report Title:

State Historic Preservation Division; Burial Sites; Penalties

Description:

Increases the penalty for the desecration of Hawaiian and non-Hawaiian burial sites from a misdemeanor to a felony.

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