

STAND. COM. REP. NO. **3085**

Honolulu, Hawaii

MAR 14 2024

RE: H.B. No. 1842

H.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Public Safety and Intergovernmental and Military Affairs, to which was referred H.B. No. 1842, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIRE PREVENTION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Increase the maximum fine for violations of the fire protection laws;
- (2) Specify that each day a violation exists or continues to exist shall constitute a distinct and separate offense;
- (3) Raise the criminal penalty for the offense of arson in the fourth degree to a class C felony if the offense was committed during the time and within the geographic area in which a red flag warning was in effect; and
- (4) Provide that the state of mind requirement is not applicable to the fact that the red flag warning was in effect and that the actor is strictly liable with respect to the attendant circumstance that the red flag warning was in effect.



Your Committee received testimony in support of this measure from the Department of Land Natural Resources, Honolulu Police Department, and Maui Chamber of Commerce.

Your Committee finds that following the August 2023 Maui wildfires, six working groups were established to evaluate the aftermath of the wildfires and make recommendations for appropriate legislative action in the next legislative session. Your Committee further finds that these working groups collaborated with federal, state, and county agencies, along with community stakeholders and interested parties, to identify immediate issues that require temporary or transitional relief for the people and businesses of West Maui. The joint final report, which was released in December 2023, contained recommendations including but not limited to penalties for violations of state fire protection laws and criminal penalties for arson during red flag warnings. Accordingly, this measure will deter certain actions that lead to a heightened risk of wildfires.

As affirmed by the record of votes of the members of your Committee on Public Safety and Intergovernmental and Military Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1842, H.D. 1, and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Public Safety and
Intergovernmental and Military
Affairs,



GLENN WAKAI Chair



