

JAN 17 2025

A BILL FOR AN ACT

RELATING TO SHOPLIFTING.

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

1 SECTION 1. The legislature finds that shoplifting in the
2 State, particularly smash and grab theft, is extremely costly
3 for local businesses. The legislature also finds that
4 shoplifting is often committed by organized retail theft groups
5 and is habitual in nature. According to a report from Forbes
6 Advisor in 2024, Hawaii is one of the worst states in the
7 country when it comes to organized retail theft, with an average
8 value of stolen items per resident of \$288, compared to a
9 national average of \$173. The study also found that there are
10 approximately 1,532 thefts per one hundred thousand residents in
11 the State, raking Hawaii as the fourteenth highest in the
12 nation.

13 Accordingly, the purpose of this Act is to deter
14 shoplifting in the State by increasing penalties for the offense
15 of theft by means of shoplifting.

16 SECTION 2. Section 708-833.5, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "**§708-833.5 Shoplifting.** A person convicted of committing
2 theft by means of shoplifting as defined in section 708-830
3 shall be sentenced to the following minimum fines:

4 (1) In cases involving a class C felony, the minimum fine
5 shall be [~~four~~] _____ times the value or aggregate
6 value of the property involved;

7 (2) In cases involving a misdemeanor, the minimum fine
8 shall be [~~three~~] _____ times the value or aggregate
9 value of the property involved;

10 (3) In cases involving a petty misdemeanor, the minimum
11 fine shall be twice the value or aggregate value of
12 the property involved;

13 (4) If a person has previously been convicted of
14 committing theft by means of shoplifting as defined in
15 section 708-830, the minimum fine shall be doubled
16 that specified in paragraphs (1), (2), and (3),
17 respectively, as set forth above; provided in the
18 event the convicted person defaults in payment of any
19 fine, and the default was not contumacious, the court
20 may sentence the person to community [~~services~~]
21 service as authorized by section 706-605(1)(d) [~~-~~];



S.B. NO. 860

Report Title:

Shoplifting; Theft; Penalties; Increase

Description:

Increases penalties for the offense of theft by means of shoplifting.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

