
A BILL FOR AN ACT

RELATING TO SQUATTING.

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

1 SECTION 1. The legislature finds that squatting presents a
2 challenging and legally complex issue in the State. Black's Law
3 Dictionary defines squatting as "the unlawful occupation and use
4 of a building or land as one's own without permission or
5 ownership rights." The legislature further finds that the most
6 prevalent instances of squatting in Hawaii are when a property
7 owner cannot be contacted to make a trespass complaint, leaving
8 the property vacant or abandoned and accessible to squatters.
9 Without the property owner's trespass complaint, law enforcement
10 officers cannot remove squatters when neighbors call to report
11 public nuisances. This leaves the community without an
12 effective legal remedy and hinders the enforcement of trespass
13 laws.

14 The legislature also finds that squatting sometimes
15 presents complex legal issues. In some instances, a property
16 owner may claim that occupants are trespassing as squatters
17 while the occupants claim they are former or present tenants,



1 with legal rights pursuant to chapter 521, Hawaii Revised
2 Statutes, the residential landlord-tenant code. The legislature
3 recognizes that the eviction process can be costly and
4 time-consuming for both parties and, therefore, believes the
5 issue should be studied to identify a more efficient process for
6 addressing squatting in Hawaii.

7 Accordingly, the purpose of this Act is to establish a
8 working group to analyze the issue of squatting in Hawaii and
9 provide recommendations to address it effectively.

10 SECTION 2. (a) There is established within the department
11 of the attorney general for administrative purposes a working
12 group to examine and analyze the issue of squatting in Hawaii
13 and provide recommendations to address it effectively. The
14 working group's analysis shall include:

- 15 (1) A clear definition and understanding of the behaviors
16 or actions that constitute squatting;
- 17 (2) Identification and analysis of the various
18 circumstances in which squatting may occur, including:
- 19 (A) Vacant and abandoned properties;
- 20 (B) Instances in which a property owner cannot be
21 located or contacted;



- 1 (C) Instances in which a property is in the process
2 of foreclosure; and
- 3 (D) Disputes between property owners and occupants in
4 which the property owner claims the occupant is
5 squatting and the occupant claims authorized
6 residency as a former or current tenant;
- 7 (3) Recommendations for addressing squatting in each of
8 the identified circumstances;
- 9 (4) Recommendations to proactively prevent squatting;
- 10 (5) Recommendations to resolve community impacts caused by
11 squatting, including through the judicial system, law
12 enforcement, and community action; and
- 13 (6) An analysis of policy and legislative considerations
14 regarding squatting, including trespass, adverse
15 possession, eviction, loitering, and termination of
16 tenancy.
- 17 (b) Members of the working group shall include the
18 following persons or their designees:
- 19 (1) The attorney general, who shall serve as chair of the
20 working group;
- 21 (2) The director of law enforcement;



- 1 (3) The director of human services;
- 2 (4) The director of commerce and consumer affairs;
- 3 (5) A representative from the judiciary, to be appointed
- 4 by the chief justice;
- 5 (6) The chief of police from each county;
- 6 (7) The prosecuting attorney from each county;
- 7 (8) The state public defender;
- 8 (9) One member of the house of representatives, to be
- 9 appointed by the speaker of the house of
- 10 representatives;
- 11 (10) One member of the senate, to be appointed by the
- 12 senate president;
- 13 (11) A representative from the Legal Aid Society of Hawaii,
- 14 who shall be invited to participate by the chair;
- 15 (12) A representative from the Honolulu Tenants Union, who
- 16 shall be invited to participate by the chair;
- 17 (13) A representative from the Hawaii Association of
- 18 REALTORS, who shall be invited to participate by the
- 19 chair;
- 20 (14) A representative from the Hawaii Housing Alliance, who
- 21 shall be invited to participate by the chair;



- 1 (15) A representative from the banking or mortgage
2 industry, who shall be invited to participate by the
3 chair; and
- 4 (16) Any other stakeholders as determined by the chair, or
5 a majority of members of the working group, including:
- 6 (A) An individual with legal expertise on the issue
7 of squatting;
- 8 (B) An individual with expertise in housing policy;
- 9 (C) Attorneys with expertise and experience in the
10 landlord-tenant code; provided that at least one
11 shall have experience representing landlords and
12 at least one shall have experience representing
13 tenants; and
- 14 (D) A representative from academia who has studied
15 squatting.
- 16 (c) The members of the working group shall serve without
17 compensation but shall be reimbursed for expenses, including
18 travel expenses, necessary for the performance of their duties.
- 19 (d) The working group shall cease to exist on June 30,
20 2027.



1 (e) The working group shall submit a preliminary report of
2 its findings and recommendations, including any proposed
3 legislation, to the legislature no later than twenty days prior
4 to the convening of the regular session of 2026.

5 The working group shall submit a final report of its
6 findings and recommendations, including any proposed
7 legislation, to the legislature no later than twenty days prior
8 to the convening of the regular session of 2027.

9 SECTION 3. This Act shall take effect on July 1, 3000.



Report Title:

Squatting; Squatters; Working Group; AG; Landlord-Tenant Code;
Property; Housing; Law Enforcement; Trespass; Reports

Description:

Establishes a working group within the Department of the
Attorney General to study the issue of squatting in Hawaii and
provide recommendations. Requires reports to the legislature.
Effective 7/1/3000. (HD1)

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

