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## A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

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

1       SECTION 1. The legislature finds that law enforcement has  
2 often used nuisance abatement laws to hold owners and landlords  
3 accountable for allowing known criminal activities to occur on  
4 their real property. However, the nuisance abatement law  
5 currently does not give citizens who bring suit against a place  
6 used for illegal gambling the same rights and protections of  
7 victims of crime, and it does not provide the same rights and  
8 protections provided to citizens who bring suit against a place  
9 used for fireworks related offenses or drug offenses. Further,  
10 the financial penalties for property owners are minimal and  
11 discretionary, providing little incentive for property owners to  
12 make sincere efforts to prevent illegal gambling activity on  
13 their property.

14       The purpose of this Act is to:

- 15       (1) Impose a mandatory fine of \$5,000 per violation for  
16           nuisance abatement laws related to gambling offenses;  
17           and



1           (2) Authorize citizens who bring civil nuisance abatement  
2           suits against places used for illegal gambling the  
3           same rights and protections as those afforded to  
4           victims and witnesses in criminal proceedings.

5           SECTION 2. Chapter 712, Hawaii Revised Statutes, is  
6           amended by adding a new section to part V to be appropriately  
7           designated and to read as follows:

8           "**§712- Fines; gambling.** In addition to any other  
9           penalty that may be imposed for a violation of part III of this  
10          chapter, the court shall impose a mandatory fine of \$5,000 per  
11          violation upon any property owner found to have violated  
12          nuisance abatement laws under part V of this chapter related to  
13          gambling offenses."

14          SECTION 3. Section 712-1270.3, Hawaii Revised Statutes, is  
15          amended to read as follows:

16          "**§712-1270.3 Citizen's rights.** Any citizen who brings a  
17          nuisance abatement suit against a place used for the purpose of  
18          committing:

19               (1) Fireworks related offenses contained in section 132D-  
20               14(a)(1) or (3); [~~or~~]



# H.B. NO. 669

1           (2) Drug offenses under part IV of this chapter or who  
2           files a complaint with the local police or drug  
3           nuisance abatement unit of the department of the  
4           attorney general~~[7]~~; or

5           (3) Gambling offenses under part III of this chapter,  
6           shall be entitled to the same rights and protections of victims  
7           and witnesses in criminal proceedings in accordance with chapter  
8           801D."


9           SECTION 4. This Act does not affect rights and duties that  
10          matured, penalties that were incurred, and proceedings that were  
11          begun before its effective date.

12          SECTION 5. Statutory material to be repealed is bracketed  
13          and stricken. New statutory material is underscored.

14          SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:



JAN 17 2025



# H.B. NO. 669

**Report Title:**

Nuisance Abatement; Gambling Offenses; Mandatory Fine

**Description:**

Requires the court to impose a mandatory fine per violation for nuisance abatement laws related to gambling offenses. Allows citizens who bring civil nuisance abatement suits against places used for illegal gambling the same rights and protections as those afforded to victims and witnesses in criminal proceedings.

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

