

JAN 17 2025

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# A BILL FOR AN ACT

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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, ranking 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) [~~-~~];



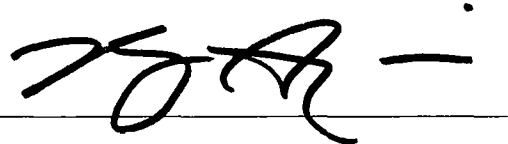
1        provided further that a court that sentences a person  
2        to community service pursuant to this section shall  
3        sentence the person to a minimum of        hours of  
4        community service."

5        SECTION 3. This Act does not affect rights and duties that  
6        matured, penalties that were incurred, and proceedings that were  
7        begun before its effective date.

8        SECTION 4. Statutory material to be repealed is bracketed  
9        and stricken. New statutory material is underscored.

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

11  
INTRODUCED BY: \_\_\_\_\_





# 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.*

