

JAN 23 2026

A BILL FOR AN ACT

RELATING TO SCHOOLS.

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

1 SECTION 1. The legislature finds that the safety of
2 students and school employees is a top priority for the public
3 education system in the State. When students or school staff
4 feel their personal security is at risk, the entire educational
5 and extracurricular system is jeopardized due to the threat of
6 aggression undermining the professional stability required for
7 student success.

8 The legislature believes that the department of education
9 should have the power to deter violent misconduct on school
10 premises with harsher penalties, including by issuing a lifetime
11 ban for egregious offenders.

12 Accordingly, the purpose of this Act is to:

- 13 (1) Include weekends and holidays as times where a
14 reasonable warning or request to leave school premises
15 is not required for a person to commit the offense of
16 criminal trespass in the first degree; and



(2) Specify that, for the offense of criminal trespass in the first degree, a reasonable warning or request to leave school premises includes a written lifetime prohibition against the person entering the premises.

SECTION 2. Section 708-813, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

"(1) A person commits the offense of criminal trespass in the first degree if:

(a) That person knowingly enters or remains unlawfully:

(i) In a dwelling; or

(ii) In or upon the premises of a hotel or apartment building;

(b) That person:

(i) Knowingly enters or remains unlawfully in or upon premises that are fenced or enclosed in a manner designed to exclude intruders; and

(ii) Is in possession of a firearm, as defined in section 134-1, at the time of the intrusion; or

(c) That person enters or remains unlawfully in or upon the premises of any public school as defined in section 302A-101, or any private school, after



1 reasonable warning or request to leave by school
2 authorities or a police officer; provided [~~however,~~
3 ~~such~~] that the warning or request to leave shall be
4 unnecessary between 10:00 p.m. and 5:00 a.m. and on
5 weekends and school holidays. For the purposes of
6 this paragraph, "reasonable warning or request"
7 includes a lifetime prohibition against the person
8 entering the school premises where the prohibition is
9 reasonably necessary to ensure the safety and security
10 of students and employees, is communicated in writing
11 within one year of the issuance of a previous written
12 warning or request, whether or not a copy of the
13 previous written warning or request is posted at the
14 premises or retained by the county police department,
15 and may include the following information:

16 (i) A warning statement notifying the person that the
17 person is no longer allowed on the identified
18 property or properties for a period of time,
19 including up to a lifetime ban, from the date of
20 the warning, and that a violation of the warning
21 will subject the person to arrest and prosecution



1 for the misdemeanor offense of criminal trespass
2 in the first degree pursuant to this section;

3 (ii) The person's legal name and any aliases, a
4 photograph, and, if applicable, a physical
5 description including sex, race, age, height,
6 weight, hair color, eye color, or any other
7 distinguishing characteristics of the person;

8 (iii) The name of the person issuing the warning and
9 the date and time the warning was given; and

10 (iv) The signature of the person issuing the warning,
11 the signature of a witness or police officer who
12 was present when the warning was issued and, if
13 possible, the signature of the person receiving
14 the warning."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



S.B. NO. 2611

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

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INTRODUCED BY:

Michelle A. Adams



S.B. NO. 2611

Report Title:

Trespass; Schools; Warnings; Lifetime Prohibition

Description:

Includes weekends and holidays as times where a reasonable warning or request to leave school premises is not required for a person to commit the offense of criminal trespass in the first degree. Specifies that, for the offense of criminal trespass in the first degree, a reasonable warning or request to leave school premises includes a written lifetime prohibition against the person entering the premises.

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