
A BILL FOR AN ACT

RELATING TO THEFT.

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

1 SECTION 1. The legislature finds that the surge in theft
2 perpetrated by organized retail crime rings is threatening
3 communities and businesses. According to the National Retail
4 Federation, "sixty-six per cent of retailers reported
5 transnational organized retail crime involvement in thefts
6 against their companies since 2024." The U.S. Department of
7 Homeland Security estimates that \$15 billion in state and
8 federal tax revenue is lost due to organized retail crime.
9 These crimes are not limited to impacting large department
10 stores but also small businesses which comprise ninety-nine per
11 cent of the business landscape in Hawaii.
12 To malicious actors, these crimes are considered low-risk
13 and yield a high-reward. Fifteen states passed laws in 2025 to
14 address the pervasive issue of organized retail crime. Hawaii,
15 the state fourth most impacted by retail theft according to
16 Forbes, needs to join this nationwide response to combat
17 organized retail crime. The purpose of this Act is to create



1 the offense of organized retail theft and provide penalties
2 accordingly.

3 SECTION 2. Chapter 708, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§708- Organized retail theft.** (1) For purposes of
7 this section:

8 "Retailer" means a person or business that sells or
9 facilitates the sale of merchandise to the public for use or
10 consumption rather than for resale.

11 (2) A person commits the offense of organized retail theft
12 if the person intentionally:

13 (a) Acts in concert with one or more persons to commit
14 theft of merchandise from one or more retailers with
15 intent to sell, exchange, or dispose of the
16 merchandise for value; or

17 (b) Acts in concert with one or more persons to receive,
18 possess, conceal, store, or purchase merchandise
19 explicitly represented to the person as being
20 merchandise stolen from a retailer.

21 (3) Violation of this section is:



- 1 (a) A Class C felony if the value or aggregate value of
2 the merchandise involved in the act is \$200 or more
3 but less than \$750; or
4 (b) A Class B felony if the value or aggregate value of
5 the merchandise involved in the act is \$750 or more.
6 (4) Violation of this section described in subsection (3)
7 is increased to the next higher category of offense if the
8 person recruits, coordinates, organizes, supervises, directs,
9 manages, or finances one or more persons to engage in an act
10 described in subsection (2).
11 (5) There is to be established an organized retail theft
12 task force under the department of the attorney general.
13 (a) The task force shall consist of no more than fifteen
14 members and shall include:
15 (i) Four members appointed by the governor, one of
16 whom shall be an individual who represents state
17 or local law enforcement;
18 (ii) President, or their designee, of the Chamber of
19 Commerce Hawaii;
20 (iii) President, or their designee, of the Retail
21 Merchants of Hawaii;



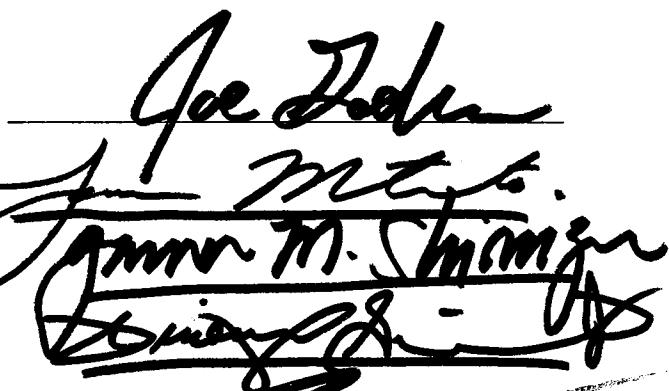


1 SECTION 3. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

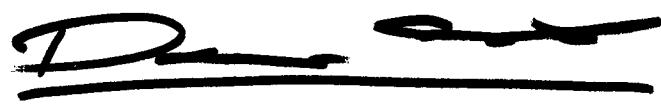
4 SECTION 4. New statutory material is underscored.

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

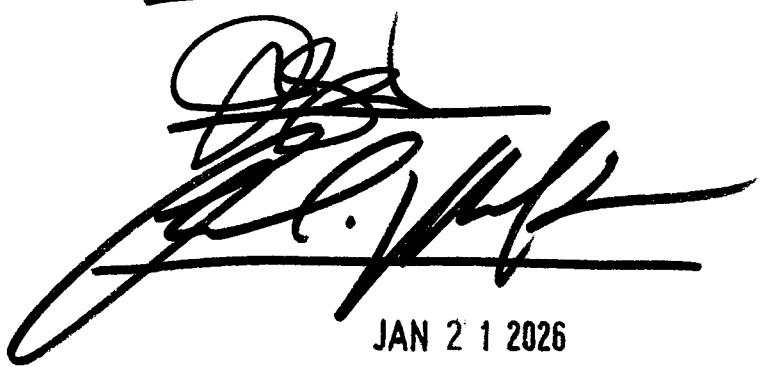
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INTRODUCED BY: 









JAN 21 2026



H.B. NO. 1759

Report Title:

Minority Caucus Package; Organized Retail Theft; Task Force

Description:

Creates the offense of organized retail theft. Provides penalties for organized retail theft which are increased based on value of property and leadership roles. Creates an organized retail theft task force.

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