

JAN 21 2026

A BILL FOR AN ACT

RELATING TO ARSON.

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

1 SECTION 1. Section 706-606.2, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§706-606.2 Special sentencing considerations for arson;**
4 **other actions not prohibited.** (1) Notwithstanding sections
5 706-605 and 706-641, the court shall sentence a person convicted
6 of arson in the first, second, third, or fourth degree to a
7 mandatory term of imprisonment as authorized by part IV and to
8 pay a fine in the maximum amount authorized under
9 section 706-640.

10 (2) In addition to any other penalty imposed, a person
11 convicted of arson involving fire set to brush, grass,
12 vegetation on the land resulting in damage to ten thousand
13 square feet or more of property, may be required to:

14 (a) Pay any costs associated with extinguishing the fire,
15 which shall include, but are not limited to:

16 (i) Personnel salary, benefits, and overtime;



- 1 (ii) The operation, maintenance, and repair of
2 apparatus, aircraft, and equipment;
3 (iii) Supplies expended, damaged, or lost; and
4 (iv) Rehabilitation supplies during firefighting
5 operations; and

- 6 (b) Perform community service work in the region in which
7 the property damage occurred.

8 With regard to any fine or monetary penalty that may be imposed
9 on a minor convicted or adjudicated for an offense of arson, the
10 parents or legal guardians of the minor shall be liable for the
11 percentage of costs associated with extinguishing the fire based
12 upon the apportionment of fire damage to real or personal
13 property caused by the minor as a result of committing the
14 offense of arson, regardless of whether the property is publicly
15 or privately owned.

16 ~~[(+2)]~~ (3) Nothing in this section shall prohibit a
17 separate criminal action being brought by the State or a civil
18 action being brought by the State or a third party for conduct
19 that constitutes an offense of arson."



1 SECTION 2. 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 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

7

INTRODUCED BY:

Lyn DeCorte



S.B. NO. 2124

Report Title:

Penal Code; Sentencing; Arson; Mandatory Imprisonment; Maximum
Fine

Description:

Requires that defendants convicted of arson offenses be
sentenced to mandatory imprisonment and a maximum fine.

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

