
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.

11 Accordingly, the purpose of this Act is to include weekends
12 and holidays as times where a reasonable warning or request to
13 leave school premises is not required for a person to commit the
14 offense of criminal trespass in the first degree.

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



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

3 (a) That person knowingly enters or remains unlawfully:

4 (i) In a dwelling; or

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

7 (b) That person:

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

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

13 (c) That person enters or remains unlawfully in or upon
14 the premises of any public school as defined in
15 section 302A-101, or any private school, after
16 reasonable warning or request to leave by school
17 authorities or a police officer; provided [~~however,~~
18 ~~such~~] that the warning or request to leave shall be
19 unnecessary between 10:00 p.m. and 5:00 a.m. and on
20 weekends and school holidays."



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 Statutory material to be repealed is bracketed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

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



Report Title:

Trespass; Schools; Warnings

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. (SD1)

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

