

ACT 180

S. B. NO. 823

A Bill for an Act Relating to the Crime of Trespass.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 771-1, Hawaii Revised Statutes, is amended to read:

“§771-1 Trespass; penalty.

(a) Whoever knowingly enters or remains unlawfully in the dwelling-house or buildings of another used for dwelling purposes, shall be fined not more than \$1,000, or imprisoned not more than one year, or both.

(b) Whoever knowingly enters or remains in or upon premises which are enclosed in a manner designed to exclude intruders or are fenced, shall be fined not more than \$500, or imprisoned not more than 30 days, or both.

(c) Whoever knowingly enters or remains unlawfully in or upon premises shall be fined not more than \$500.

Provided that entry upon or passing along or over established and well-defined roadways, pathways, or trails leading to public beaches over government lands, whether or not under lease to private persons, shall not of itself constitute the offense of trespass, and anyone entering upon or passing along or over any such roadway, pathway, or trail on his way to or from a public beach shall be liable only for such actual physical damage as he may cause in so doing.

SECTION 2. This Act shall take effect upon its approval.

(Approved June 4, 1971.)