

ACT 54

S.B. NO. 1283

A Bill for an Act Relating to the Penal Code.

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

SECTION 1. Section 708-800, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Aquaculture product” means any fish, shellfish, mollusk, crustacean, algae, or other aquatic plant or animal raised, grown, or maintained by an aquaculture enterprise or research agency while owned by the enterprise or agency.”

SECTION 2. Section 708-831, Hawaii Revised Statutes, is amended to read as follows:

“§708-831 Theft in the second degree. (1) A person commits the offense of theft in the second degree if the person commits theft:

- (a) [By obtaining] ~~Of~~ property from the person of another;
- (b) Of property or services the value of which exceeds \$300;
- (c) Of a firearm; [or]
- (d) Of dynamite or other explosive[.]; ~~or~~
- (e) Of an aquaculture product or part thereof from premises that is fenced or enclosed in a manner designed to exclude intruders and there is prominently displayed on the premises a sign or signs sufficient to give notice and reading substantially as follows: “It is a crime to take or remove products from these premises, Hawaii Revised Statutes §708-831, theft in the second degree. Violators will be prosecuted.”

(2) Theft in the second degree is a class C felony.”

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

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 29, 1992.)