

**ACT 228**

H.B. NO. 3403

A Bill for an Act Relating to Offenses Against Property.

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

SECTION 1. Section 708-831, Hawaii Revised Statutes, is amended by amending subsection (1) to read as follows:

“(1) A person commits the offense of theft in the second degree if the person commits theft:

- (a) Of property from the person of another;
- (b) Of property or services the value of which exceeds \$300;

- (c) Of an aquaculture product or part thereof from premises that is fenced or enclosed in a manner designed to exclude intruders [and] or 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 section 708-831, theft in the second degree. Violators will be prosecuted.”]; “Private Property”; or
- (d) Of agricultural equipment, supplies, or products, or part thereof, the value of which exceeds \$100 but does not exceed \$20,000, from premises that are fenced, enclosed, or secured in a manner designed to exclude intruders [and] or 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 agricultural equipment, supplies, or products from these premises, Hawaii Revised Statutes section 708-831, theft in the second degree. Violators will be prosecuted.”] “Private Property.” The sign or signs, containing letters not less than two inches in height, shall be placed [not more than 1000 feet apart] along the boundary line of the land in a manner and in such position as to be clearly noticeable from outside the boundary line.”

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

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved July 20, 1998.)