

ACT 187

H.B. NO. 1709

A Bill for an Act Relating to Criminal Property Damage.

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

SECTION 1. Chapter 708, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§708- Aggravated criminal property damage. (1) A person commits the offense of aggravated criminal property damage if the person:

- (a) Intentionally damages the property of another without the other’s consent; and
- (b) Has been convicted two or more times of an offense under section 708-822 or 708-823 in the preceding five years.

(2) For purposes of this section, “convicted two or more times” means that, at the time of the instant offense, the person had previously entered a plea of guilty or no contest or a judge or jury had previously returned a verdict of guilty against the person for two or more offenses committed on separate occasions.

(3) Aggravated criminal property damage is a misdemeanor.”

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. New statutory material is underscored.¹

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

(Approved July 5, 2005.)

Note

- 1. Edited pursuant to HRS §23G-16.5.