

ACT 20

H.B. NO. 171

A Bill for an Act Relating to Property Crimes.

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

SECTION 1. The legislature finds that Hawai'i has a high property crime rate, and law enforcement officers are tasked with locating, identifying,

and recovering stolen property, and returning the stolen property to the rightful owner. The legislature also finds that existing law does not adequately address situations in which an offender takes the property of another and subsequently sells the stolen item to a pawnbroker or secondhand dealer, as described in chapter 486M, Hawaii Revised Statutes. Criminals have successfully profited from selling or pawning property that was stolen from homes or vehicles and have disguised these transactions as legitimate business dealings. The legislature intends to ensure that pawnbrokers and secondhand dealer businesses, as potential purchasers of these goods, are transparent and fully accountable for all of their respective business dealings.

Accordingly, the purpose of this Act is to clarify the state of mind required for section 486M-7, Hawaii Revised Statutes, to deter movement of stolen property and extend penalties to any person who intentionally, knowingly, or recklessly violates certain laws relating to pawnbrokers and secondhand dealers.

SECTION 2. Section 486M-7, Hawaii Revised Statutes, is amended to read as follows:

§486M-7 Penalties. Any dealer, or any agent, employee, or representative of a dealer who intentionally, knowingly, or recklessly violates any of the provisions of sections 486M-2, 486M-3, or 486M-4, or who refuses to allow the inspection provided for in section 486M-5, and any person who offers or records information [~~which~~] that is required under section 486M-2 that the person knows or has reason to know is false, shall be guilty of a misdemeanor. Any dealer, or any agent, employee, or representative of a dealer who is convicted for a second violation of any provision of this chapter shall, in addition to the foregoing penalty, be permanently prohibited from engaging in the business of buying or selling of precious or semiprecious metals or precious or semiprecious gems or any article.”

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 Statutory material to be repealed is bracketed and stricken.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

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

(Approved May 28, 2021.)