
A BILL FOR AN ACT

RELATING TO NUISANCE ABATEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that part V of chapter
2 712, Hawaii Revised Statutes, authorizes civil lawsuits to abate
3 criminal offenses relating to prostitution or the display of
4 indecent matter, illegal manufacture or distribution of drugs,
5 and certain fireworks offenses, which include every category of
6 offenses against public health and morals under chapter 712,
7 Hawaii Revised Statutes, except the gambling offenses under part
8 III of that chapter. The legislature further finds that illegal
9 gambling often attracts activity that involves physical violence
10 and the distribution of narcotics and is therefore an
11 appropriate subject of nuisance abatement. Further, the
12 addition of gambling offenses to the nuisance abatement laws
13 would authorize law enforcement to pursue civil remedies to
14 bolster the enforcement of the gambling prohibitions found in
15 part III of chapter 712, Hawaii Revised Statutes.

16 The purpose of this Act is to promote the enforcement of
17 gambling offenses through their inclusion in the nuisance
18 abatement laws.



1 SECTION 2. Section 712-1270, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§712-1270 **Places used to commit offenses against public**
4 **health and morals, a nuisance.** Every building, premises, or
5 place used for the purpose of violating:

6 (1) Those laws pertaining to offenses against public
7 health and morals contained in [~~parts I, II, and IV~~
8 ~~of~~] this chapter, except offenses under part IV
9 [~~which~~] that do not involve the manufacture or
10 distribution of drugs; or
11 (2) Section 132D-14(a)(1) or (3),
12 and every building, premises, or place in or upon which [~~the~~]
13 violations of any of the laws set forth in paragraph (1) or (2)
14 are held or occur [~~in parts I, II, and IV, or section 132D-~~
15 ~~14(a)(1) or (3)~~], is a nuisance that shall be enjoined, abated,
16 and prevented, regardless of whether it is a public or private
17 nuisance."

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



1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on January 7, 2059.



Report Title:

Offenses Against Public Health and Morals; Nuisance Abatement;
Gambling

Description:

Includes gambling among the types of offenses that are subject
to the nuisance abatement laws. Effective 01/07/2059. (SD1)

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