
A BILL FOR AN ACT

RELATING TO THEFT.

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

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

3 "(1) A person commits the offense of theft in the second
4 degree if the person commits theft:

5 (a) Of property from the person of another;

6 (b) Of property or services the value of which exceeds
7 ~~[\$300+]~~ \$400;

8 (c) Of an aquacultural product or part thereof from
9 premises that are fenced or enclosed in a manner
10 designed to exclude intruders or there is prominently
11 displayed on the premises a sign or signs sufficient
12 to give notice and reading as follows: "Private
13 Property", "No Trespassing", or a substantially
14 similar message;

15 (d) Of agricultural equipment, supplies, or products, or
16 part thereof, the value of which exceeds \$100 but does
17 not exceed \$20,000, or of agricultural products that
18 exceed twenty-five pounds, from premises that are



1 fenced, enclosed, or secured in a manner designed to
2 exclude intruders or there is prominently displayed on
3 the premises a sign or signs sufficient to give notice
4 and reading as follows: "Private Property", "No
5 Trespassing", or a substantially similar message; or
6 if at the point of entry of the premise, a crop is
7 visible. The sign or signs, containing letters not
8 less than two inches in height, shall be placed along
9 the boundary line of the land in a manner and in such
10 position as to be clearly noticeable from outside the
11 boundary line. Possession of agricultural products
12 without ownership and movement certificates, when a
13 certificate is required pursuant to chapter 145, is
14 prima facie evidence that the products are or have
15 been stolen; or

16 (e) Of agricultural commodities that are generally known
17 to be marketed for commercial purposes. Possession of
18 agricultural commodities without ownership and
19 movement certificates, when a certificate is required
20 pursuant to section 145-22, is prima facie evidence
21 that the products are or have been stolen; provided



1 that "agriculture commodities" has the same meaning as
2 in section 145-21."

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

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on January 7, 2059.



Report Title:

Theft in the Second Degree; Value of Property or Services

Description:

Increases the threshold value of property or services from \$300 to \$400 under the offense of theft in the second degree.

Effective 01/07/2059. (SD1)

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