
A BILL FOR AN ACT

RELATING TO SCHOOLS.

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

- 1 SECTION 1. Section 708-813, Hawaii Revised Statutes, is
2 amended by amending subsection (1) to read as follows:
- 3 "(1) A person commits the offense of criminal trespass in
4 the first degree if:
- 5 (a) That person knowingly enters or remains unlawfully:
- 6 (i) In a dwelling; or
- 7 (ii) In or upon the premises of a hotel or apartment
8 building;
- 9 (b) That person:
- 10 (i) Knowingly enters or remains unlawfully in or upon
11 premises that are fenced or enclosed in a manner
12 designed to exclude intruders; and
- 13 (ii) Is in possession of a firearm, as defined in
14 section 134-1, at the time of the intrusion; [æ]
- 15 (c) That person enters or remains unlawfully in or upon
16 the premises of any public school as defined in
17 section 302A-101, or any private school, after



1 reasonable warning or request to leave by school
 2 authorities or a police officer; provided however,
 3 [~~such~~] the warning or request to leave shall be
 4 unnecessary between 10:00 p.m. and 5:00 a.m.; or

5 (d) That person enters or remains in or upon the street,
 6 sidewalk, or public way immediately adjacent to any
 7 school property, or any public right-of-way situated
 8 immediately adjacent to school property:

9 (i) During regular school hours or within one hour
 10 before or after the school day or one hour before
 11 or after a school-sponsored activity;

12 (ii) Without a lawful business purpose;

13 (iii) In interference with or disruption of the orderly
 14 operation, safety, or peaceful conduct of the
 15 school or school activity, through the person's
 16 presence or intentional actions; and

17 (iv) After reasonable warning or request to leave by
 18 school authorities or a police officer."

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



1 SECTION 3. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect on July 1, 2051.



Report Title:

Criminal Trespass; Schools; Roads; Streets; Highways

Description:

Prohibits persons from interfering with or disrupting the orderly operation, safety, or peaceful conduct of a school or school-related activity. (HB944 HD1)

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