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# A BILL FOR AN ACT

RELATING TO THE PENAL CODE.

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

1           SECTION 1. The purpose of this Act is to amend part III of  
2 chapter 708, Hawaii Revised Statutes, to include a new offense  
3 relating to intentionally or knowingly damaging property holding  
4 cultural or historical significance to Native Hawaiians.

5           SECTION 2. Section 708-800, Hawaii Revised Statutes, is  
6 amended by adding a new definition to be appropriately inserted  
7 and to read as follows:

8           "Property of another holding cultural or historical  
9 significance to Native Hawaiians" means any property of another  
10 that is a tangible object, structure, or real property of  
11 cultural or historical significance to Native Hawaiians as  
12 determined by experts in traditional Native Hawaiian customs and  
13 practices in the district where the property is located."

14           SECTION 3. Chapter 708, Hawaii Revised Statutes, is  
15 amended by adding a new section to part III to be appropriately  
16 designated and to read as follows:



1           "§708- Criminal property damage to property of another  
2 holding historical significance to Native Hawaiians. (1) A  
3 person commits the offense of criminal property damage to  
4 property of another holding historical significance to Native  
5 Hawaiians if the person intentionally or knowingly destroys or  
6 causes substantial physical damage to the property of another  
7 holding historical significance to Native Hawaiians.

8           (2) Criminal property damage to property of another  
9 holding historical significance to Native Hawaiians is a class C  
10 felony."

11           SECTION 4. This Act does not affect rights and duties that  
12 matured, penalties that were incurred, and proceedings that were  
13 begun before its effective date.

14           SECTION 5. New statutory material is underscored.

15           SECTION 6. This Act shall take effect on July 1, 2050.

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**Report Title:**

Penal Code; Criminal Property Damage; Property Holding Cultural or Historical Significance to Native Hawaiians

**Description:**

Establishes the offense of criminal property damage to property of another holding historical significance to Native Hawaiians. Defines "property of another holding historical significance to Native Hawaiians" as a tangible object, structure, or real property that has been determined to be of cultural or historical significance to Native Hawaiians as determined by experts in traditional Native Hawaiian customs and practices in the district where the property is located. Effective 7/1/2050. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

