
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 included under chapter
7 712, Hawaii Revised Statutes, except gambling offenses under
8 part III of that chapter. The legislature further finds that
9 illegal gambling often attracts activity that involves physical
10 violence 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 will authorize law enforcement to pursue civil remedies to
14 bolster enforcement of the criminal gambling prohibitions found
15 in part III of chapter 712, Hawaii Revised Statutes.



1 The purpose of this Act is to promote the prosecution of
2 gambling offenses through their inclusion in the nuisance
3 abatement laws.

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

6 "§712-1270 Places used to commit offenses against public
7 health and morals, a nuisance. Every building, premises, or
8 place used for the purpose of violating:

9 (1) Those laws pertaining to offenses against public
10 health and morals contained in [~~parts I, II, and IV~~
11 ~~of~~] this chapter, except offenses under part IV
12 [~~which~~] that do not involve the manufacture or
13 distribution of drugs[+] and activities under part III
14 that involve only social gambling as defined in
15 section 712-1231(a); or

16 (2) Section 132D-14(a)(1) or (3),
17 and every building, premises, or place in or upon which [~~the~~]
18 violations of any of the laws set forth in paragraph (1) or (2)
19 are held or occur [~~in parts I, II, and IV, or section 132D-~~
20 ~~14(a)(1) or (3)]~~, is a nuisance that shall be enjoined, abated,



1 and prevented, regardless of whether it is a public or private
2 nuisance."

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

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

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



Report Title:

Offenses Against Public Health and Morals; Nuisance Abatement;
Gambling

Description:

Includes gambling offenses among the types of offenses that are
subject to the nuisance abatement laws. Exempts social
gambling. (SB148 HD1)

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

