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# A BILL FOR AN ACT

RELATING TO PROPERTY CRIMES.

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

1           SECTION 1. The legislature finds that Hawai'i has a high  
2 property crime rate, and law enforcement officers are tasked  
3 with locating, identifying, and recovering stolen property, and  
4 returning the stolen property to the rightful owner. The  
5 legislature also finds that existing law does not adequately  
6 address situations in which an offender takes the property of  
7 another and subsequently sells the stolen item to a pawnbroker  
8 or secondhand dealer, as described in chapter 486M, Hawaii  
9 Revised Statutes. Criminals have successfully profited from  
10 selling or pawning property that was stolen from homes or  
11 vehicles and have disguised these transactions as legitimate  
12 business dealings. The legislature intends to ensure that  
13 pawnbrokers and secondhand dealer businesses, as potential  
14 purchasers of these goods, are transparent and fully accountable  
15 for all of their respective business dealings.

16           Accordingly, the purpose of this Act is to clarify the  
17 state of mind required for section 486M-7, Hawaii Revised



1 Statutes, to deter movement of stolen property and extend  
2 penalties to any person who intentionally, knowingly, or  
3 recklessly violates certain laws relating to pawnbrokers and  
4 secondhand dealers.

5 SECTION 2. Section 486M-7, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "§486M-7 Penalties. Any dealer, or any agent, employee,  
8 or representative of a dealer who intentionally, knowingly, or  
9 recklessly violates any of the provisions of sections 486M-2,  
10 486M-3, or 486M-4, or who refuses to allow the inspection  
11 provided for in section 486M-5, and any person who offers or  
12 records information [~~which~~] that is required under section  
13 486M-2 that the person knows or has reason to know is false,  
14 shall be guilty of a misdemeanor. Any dealer, or any agent,  
15 employee, or representative of a dealer who is convicted for a  
16 second violation of any provision of this chapter shall, in  
17 addition to the foregoing penalty, be permanently prohibited  
18 from engaging in the business of buying or selling of precious  
19 or semiprecious metals or precious or semiprecious gems or any  
20 article."



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

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

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



**Report Title:**

Honolulu Police Department Package; Penal Code; Pawnbrokers;  
Secondhand Dealers; Penalties

**Description:**

Changes the state of mind required for section 486M-7, Hawaii  
Revised Statutes, penalties to intentionally, knowingly, or  
recklessly. (SD2)

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

