

RE: S.B. No. 2515  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii  
Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2515, S.D. 1, entitled:  
"A BILL FOR AN ACT RELATING TO THE PENAL CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the criminal offense of trespassing on critical electrical infrastructure.

Your Committee received testimony in support of this measure from the Hawaiian Electric Company, Inc.

Your Committee finds that the security and resilience of Hawaii's critical electrical infrastructure is fundamental to the welfare of Hawaii's residents and visitors, as well as the defense of the state and country; however, existing trespassing laws do not provide a proportionate level of protection for such a key resource. This measure establishes the criminal offense of trespassing on critical electrical infrastructure property as a class C felony to deter potential offenders.

Your Committee has amended this measure by:

- (1) Clarifying the offense of criminal trespass on critical electrical infrastructure property as when a person intentionally and unlawfully enters or remains on critical electrical infrastructure property with intent to commit therein a crime against a person or against property rights, and the property is fenced or enclosed in a manner designed to exclude intruders with posted warning signs;
- (2) Clarifying the definition of "critical electrical infrastructure" and "critical electrical infrastructure property"; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2515, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2515, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on  
Judiciary,

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KARL RHOADS, Chair