

A BILL FOR AN ACT [sic]

To amend Koror Public Law No. K1-25-88 (passed as Bill No. 69).

SECTION 1. AMENDMENT TO SECTION 3.

Section 3 of Koror Public Law No. K1-25-88, relating to curfew within the State of Koror, is hereby amended to read as follows:

"SECTION 3. CURFEW PERIOD.

A. It shall be unlawful for any person to be in any public area within the State of Koror, including but not limited to walking, standing, assembling, gathering, or driving, on streets, pathways, public park areas, or any other public area, between the hours of 12:30 a.m. and 6:00 a.m. Any person who is going to or from work, a funeral, fishing, or religious services, is excepted from the prohibitions of this section. This section shall also not include any person who is out in any public area as a result of an emergency or other urgency for the prevention of personal injury or property damage, or for anyone who is attempting to secure emergency medical attention.

B. It shall be unlawful for any person under the age of 18 years of age to be in any public area within the State of Koror between the hours of 9:00 p.m. and 6:00 a.m., unless such person is accompanied by someone 21 years of age or older. Any person 21 years of age or older who accompanies a person under the age of 18 years in any public area after 9:00 p.m. shall be responsible for the actions of the person under 18 years of age that he or she is accompanying. This section shall not apply to anyone under the age of 18 years who is going to, or coming from, work, a funeral, fishing, or religious services, or who is in any public area as the result of an emergency or other urgency for the prevention of personal injury or property damage, or who is attempting to secure emergency medical attention.

C. It shall be unlawful for any person under the age of 21 years to possess any alcoholic beverage, to be under the influence of alcohol, or to consume any alcoholic beverage in any public area within the State of Koror, including but not limited to streets, pathways, public park areas, or any other public area within the State of Koror at any time. Any person who possess any alcoholic beverage in any public area mentioned hereinabove, or who is under the influence of alcoholic beverages in any public area as mentioned hereinabove, or who is consuming alcoholic beverages in any public area as mentioned hereinabove, shall show satisfactory proof of age upon request by any person authorized to enforce the provisions of this Act. Satisfactory proof of age shall be made in the form of a valid Driver's License, valid passport, or a valid Identification Card issued by the National Government or by any State government.

D. It shall be unlawful for any person to create or cause any public disturbance, annoyance, or to otherwise disturb the peace, health, security, safety, or comfort of any citizen, within the State of Koror, including but not limited to the playing of music in cars, yelling, shouting, fighting, causing or creating loud noises, malicious mischief, drunk or disorderly conduct, harassment, causing or creating fear in any citizen, or otherwise disturbing the peace and comfort of any citizen. Nothing in this Act is intended to replace or invalidate any provisions of the Palau National Code, or any customary or traditional laws of the State of Koror, and this Act may be enforced in addition to any other applicable statutes or traditional laws and customs.

E. Any person who violates any provision of this Section may be arrested and taken into custody for their own protection, or for the protection of any persons or property, and may be detained until such time as is necessary for the protection of persons or property, and may be further detained until such time as such person posts bail in the amounts set forth in this Act for violations of this Act.

F. The provisions of this section and any other sections of this Act, in its original form and as amended, may be enforced by the National Bureau of Public Safety, the Koror State law enforcement officers, or any other persons duly authorized by the House of Traditional Leaders of the State of Koror according to the traditional and customary laws of Koror."

SECTION 2. AMENDMENT TO SECTION 4.

Section 4 of Koror Public Law No. Kl-25 -88 is hereby amended to read as follows:

"A. No person shall buy, sell, or otherwise transfer possession, control, or ownership of any alcoholic beverage within the State of Koror between the hours of 12:01 a.m. and 6:00 a.m.

B. No person shall operate, or allow to be operated, any business activity or business establishment, regardless of its type, within the State of Koror between the hours of 12:01 a.m. and 6:00 a.m. The term "business activity" and "business establishment" shall refer to any activity carried on at any location in the State of Koror for the purpose of economic gain or other profit or compensation.

C. No person may consume any alcoholic beverage on any street, roadway, pathway, public park area, or any other area within the State of Koror that is not private property.

D. Any person who sells or otherwise transfers ownership or possession of any alcoholic beverage within the State of Koror at any time shall require satisfactory proof of identification which shows that the person buying or otherwise receiving possession of such alcoholic beverage is 21 years of age or older. Satisfactory proof of identification shall be furnished in the form of a valid driver's license, valid passport, or a valid identification card issued by the National Government or by any State government."

SECTION 3. AMENDMENT TO SECTION 5.A.

Subsection "A." of Section 5 of Koror Public Law no. Kl-25-88 is hereby amended to read as follows:

"(3) in addition to the monetary penalties set forth herein, the court may order the person who violates this Act to perform community service within the state of Koror.

SECTION 4. AMENDMENT TO SECTION 5.B.

Subsection "B." of Section 5 of Koror Public Law no. K1-25-88 is hereby amended to read as follows:

"(1) Pay a fine of \$500.00 for the first offense, and \$750.00 for the second offense;

(2) pay a fine of \$1,000.00 for the third offense, and for each subsequent offense. Any person convicted of a third or subsequent offense shall have the business license for the premises where such violation occurred revoked for a period of one (1) year. Any person who violates the revocation of the business license as provided in this section shall be prohibited from conducting any commercial activity within the State of Koror whatsoever. SECTION 5. SEVERABILITY.

In the event that a court of competent jurisdiction determines that any part of this Act is invalid, then the remaining portions shall continue in full force and effect.

SECTION 6. EFFECTIVE DATE.

This Act shall become effective upon approval by the House of Traditional Leaders, or upon its-becoming law under the terms of the Koror State Constitution.

Introduced by the House of Traditional Leaders

Certified by: _____ /s/ Attested to by: _____ /s/

ROMA

Approved on the 7 th day of May, 1992.

s/s
IBEDUL YUTAKA M. GIBBONS

