

SEVENTH KOROR STATE LEGISLATURE

Sixth Regular Session, July-October, 2004

KSPL No. K7-164-05
(Intro. as Bill No. 7-45, HD1)

AN ACT

To repeal all prior curfew laws of the State of Koror to allow for business operations 24 hours a day, to establish a curfew for minors under the age of 18 years, to prohibit the possession and consumption of alcohol in public by those under 21 years of age, to allow for the enforcement of the Act and to provide penalties for violations, and for related purposes.

THE PEOPLE OF KOROR REPRESENTED IN THE LEGISLATURE OF THE STATE OF KOROR DO ENACT AS FOLLOWS:

1 **SECTION 1. FINDINGS.** The Seventh Koror State Legislature hereby finds that, in
2 light of changing economic and social circumstances, there is no longer a need for a curfew for
3 adults in the State of Koror. Airline flights are taking off and arriving at early morning hours,
4 and alcohol sales have been extended by the national government to 2:00 a.m. on nights before
5 regular weekdays, and extended to 4:00 a.m. on Saturdays, Sundays, and mornings of holidays.

6 The Legislature further finds that there are currently no laws regulating curfew hours for
7 persons under the age of 18 years.

8 The Legislature finds that it is in the best interests of the people of the State of Koror to
9 eliminate all curfew restrictions on adults, to allow for 24 hour a day commercial activities, and
10 to establish a curfew for those under 18 years of age, and to prohibit possession and consumption
11 of alcohol in public by persons under twenty-one (21) years of age.

12 **SECTION 2. REPEAL OF CURFEW LAWS KSPL NO. K1-25-88, KSPL NO. K3-**
13 **49-92, KSPL NO. K6-91-98; AUTHORIZATION FOR BUSINESS TO OPERATE**
14 **TWENTYFOUR HOURS A DAY.**

15 A. Koror State Public Laws No. K1-25-88, K3-49-92, and K6-91-98 are hereby repealed
16 in their entirety. No other curfew shall be enforced in the State of Koror other than the curfew
17 provided by this Act.

18 B. All business and commercial activity may remain open and conduct business twenty-
19 four hours a day, seven days a week, unless and to the extent as otherwise restricted by
20 applicable law, rule, or regulation.

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21 **SECTION 3. ESTABLISHMENT OF CURFEW FOR MINORS, UNDERAGE**
22 **DRINKING IN PUBLIC.**

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1 A. It shall be unlawful for any person under the age of eighteen (18) years to be in any
2 public place within the State of Koror between the hours of 10:00 p.m. and 6:00 a.m. unless such
3 person is accompanied by a person who is at least twenty-one (21) years of age or older. Any
4 person who is twenty-one (21) years of age or older who accompanies a person under the age of
5 eighteen (18) years in any public place after 10:00 p.m. and before 6:00 am. shall be responsible
6 for the actions of the person under the age of eighteen (18) years that he or she is accompanying
7 to the same extent as a parent or legal guardian would be responsible, and to the extent of
8 responsibility as established by 34 PNC 6131 and 6132. The curfew established herein shall not
9 apply to any person under eighteen (18) years of age who is going directly to work, or who is
10 going directly home from work, or directly to or from religious services or a funeral, or who is in
11 any public place as the result of any emergency or other urgency for the prevention of personal
12 injury or property damage, or who is attempting to secure or obtain emergency medical
13 treatment. The provisions of this Act shall not operate to relieve any parent or legal guardian of
14 any responsibility or liability that may otherwise apply to such parent or guardian under
15 applicable law, including but not limited to 34 PNC 6131 and 6132.

16 B. It shall be unlawful for any person under the age of twenty-one (21) years to possess
17 or consume any alcoholic beverage in any public place within the State of Koror, or to be under
18 the influence of any alcoholic beverage in any public place within the State of Koror.

19 **SECTION 4. PENALTIES; ENFORCEMENT.**

20 A. Any person who violates section “3.A.” of this Act shall be treated as an alleged
21 juvenile delinquent under 34 PNC 6101 et seq., and upon a finding of delinquency, may be
22 ordered to pay a fine in the amount of \$50.00 for a first offense, or be sentenced to jail for a
23 period of up to ninety days, or both. For a second and subsequent offenses, the juvenile
24 delinquent may be ordered to pay a fine of up to \$100.00, and may be sentenced to spend up to
25 ninety days in jail, or both.

26 B. Any person who violates section “3.B.” herein above shall be sentenced to pay a fine in the
27 amount of \$100.00, or sentenced to spend up to ninety days in jail, or both.

28 C. The provisions of this Act may be enforced by the Governor of the State of Koror and

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any persons lawfully designated by the Governor to enforce the provisions of this Act, including the Bureau of Public Safety of the Republic of Palau.

SECTION 5. SEVERABILITY. In the event that a court of competent jurisdiction determines that any part or parts of this Act is invalid, then the offending part or parts may be stricken, and the remaining portions shall continue in full force and effect.

SECTION 6. EFFECTIVE DATE. This Act shall become effective upon its becoming law by operation of the Koror State constitution.

PASSED: October 03, 2005

CERTIFIED BY:

ATTESTED TO BY:

/s/ Yositaka Adachi
Yositaka Adachi, Speaker
Seventh Koror State Legislature

/s/ Charlyne Uong
Charlyne Uong, Clerk
Seventh Koror State Legislature

APPROVED ON THIS ____ DAY OF _____, 2005.

John C. Gibbons
Governor, Koror State

DISAPPROVED ON THIS 28th DAY OF October, 2005.

/s/ Y. M. Gibbons
Ibedul Y. M. Gibbons
House of Traditional Leaders

OVERRIDE ACTION BY THE SEVENTH KOROR STATE LEGISLATURE ON NOVEMBER 4, 2005, WAS DULY CARRIED BY A ROLL CALL VOTE OF 15-0.

CERTIFIED BY:

ATTESTED TO BY:

/s/
Yositaka Adachi, Speaker
Seventh Koror State Legislature

/s/
Charlyne Uong, Clerk
Seventh Koror State Legislature