
A BILL FOR AN ACT

RELATING TO MARINE WATERS.

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

1 SECTION 1. Section 188-40.6, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending its title and subsections (a), (b), and (c)
4 to read:

5 "~~[+]§188-40.6[+]~~ [~~Shark~~] Fish feeding; prohibitions;
6 exceptions; penalties. (a) Except as provided in subsection
7 (b), or as otherwise provided by law, it shall be unlawful for
8 any person to conduct any activity related to the feeding of
9 [~~sharks~~] fish in state marine waters.

10 (b) Persons may engage in the feeding of [~~sharks~~] fish for
11 traditional Hawaiian cultural or religious practices; provided
12 that the feeding is not part of a commercial activity.

13 (c) Persons engaged in the taking of marine life that
14 results in captured, injured, or dead fish being incidentally
15 eaten by [~~sharks~~] other fish shall not be considered in
16 violation of this section; provided that the purpose of the
17 taking of marine life is not the feeding of [~~sharks.~~] fish."

18 2. By amending subsection (e) to read:



1 "(e) As used in this section:

2 "Commercial activity" means to engage in any action or to
3 attempt to engage in any action for compensation in any form.
4 The action or actions may include[7] but are not limited to[7]
5 providing, or attempting to provide, guide services, charters,
6 tours, and transportation to and from the location or locations
7 for which such services are provided.

8 "Compensation" means money, barter, trade, credit, and
9 other instruments of value, goods, and other forms of payment.

10 "Feeding" means the introduction of or an attempt to
11 introduce any food or other substance into the water to attract
12 marine life for any purpose other than to take the marine life."

13 SECTION 2. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

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H.B. NO. 2173

Report Title:

Fish Feeding; Prohibited

Description:

Prohibits fish feeding in state marine waters.

