
A BILL FOR AN ACT

RELATING TO SHARKS.

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

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

3 " [†] §188-40.6 [†] Shark feeding; prohibitions; exceptions;
4 penalties; signage. (a) Except as provided in subsection (b),
5 or as otherwise provided by law, it shall be unlawful for any
6 person to conduct any activity related to the feeding of sharks
7 in state marine waters.

8 (b) Persons may engage in the feeding of sharks for
9 traditional Hawaiian cultural or religious practices; provided
10 that the feeding is not part of a commercial activity.

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

16 (d) The department may issue permits to engage in
17 activities otherwise prohibited by law, in accordance with
18 section 187A-6, or as may be otherwise authorized by law.



1 (e) The department shall adopt rules pursuant to chapter
2 91 for the development and placement of signs at harbor
3 facilities and on commercial tour vessels notifying the public
4 of the state and federal laws prohibiting the feeding of sharks;
5 provided that the signs, at a minimum, shall:

6 (1) State, or summarize, any penalties for the violation
7 of the prohibition on feeding of sharks that are
8 specified under federal and state laws; and

9 (2) Be in such form and placed in a manner to make them
10 viewable by as many people as possible, without unduly
11 obstructing the operation of the vessel or facility.

12 [~~e~~] (f) As used in this section:

13 "Commercial activity" means to engage in any action or to
14 attempt to engage in any action for compensation in any form.

15 \ The action or actions may include, but are not limited to,
16 providing, or attempting to provide, guide services, charters,
17 tours, and transportation to and from the location or locations
18 for which such services are provided.

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



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

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.
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Report Title:

Shark-feeding; Signage

Description:

Requires DLNR to adopt rules for the development and placement of signs notifying the public of laws prohibiting the feeding of sharks.

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