
A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

1 SECTION 1. Section 194-5, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) Whenever any invasive species identified by the
5 council for control or eradication is found on private property,
6 a department or the owner of the adjoining property may enter
7 such premises to control or eradicate the invasive species after
8 reasonable notice is given to the owner of the property and, if
9 entry is refused, pursuant to the court order in subsection
10 (d)."

11 2. By amending subsection (d) to read:

12 "(d) If the owner thus notified fails to comply with the
13 order of the department, or its agent, within the time specified
14 by the department, or if entry is refused after notice is given
15 pursuant to subsection (a) and, if applicable subsection (b),
16 the department or its agent, or the owner of the adjoining
17 property, as the case may be, may apply to the district court of
18 the circuit in which the property is situated for a warrant,



1 directed to any police officer of the circuit, commanding the
2 police officer to take sufficient aid and to assist the
3 department member or its agent in gaining entry onto the
4 premises, and executing measures to control or eradicate the
5 invasive species."


6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 3. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.

11

INTRODUCED BY:



JAN 14 2010



Report Title:

Invasive Species; Removal

Description:

Authorizes owners of adjoining property to enter private property to remove invasive species.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

