
A BILL FOR AN ACT

RELATING TO AQUARIUM FISH.

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

1 SECTION 1. Section 188-31, Hawaii Revised Statutes, is
2 amended to read as follows:
3 "**§188-31 Permits to take aquatic life for aquarium**
4 **purposes.** (a) Except as prohibited by law, the department,
5 upon receipt of a written application, may issue an aquarium
6 fish permit, not longer than one year in duration, to use fine
7 meshed traps, or fine meshed nets other than throw nets, for the
8 taking of marine or freshwater nongame fish and other aquatic
9 life for aquarium purposes.
10 (b) Except as prohibited by law, the permits shall be
11 issued only to persons who can satisfy the department that they
12 possess facilities to and can maintain fish and other aquatic
13 life alive and in reasonable health.
14 (c) It shall be illegal to sell or offer for sale any fish
15 and other aquatic life taken under an aquarium fish permit
16 unless those fish and other aquatic life are sold alive for
17 aquarium purposes.



1 The department may adopt rules pursuant to chapter 91 for
2 the purpose of this section.

3 (d) No person shall take aquatic life for aquarium
4 purposes without an aquarium fish permit issued pursuant to this
5 section. Any person violating this subsection or any rule
6 adopted by the department pursuant to this subsection shall be
7 subject to an administrative fine of not less than \$500 and not
8 more than \$2,000 for each individual saltwater fish, freshwater
9 nongame fish, or specimen of aquatic life taken without an
10 aquarium fish permit. In addition, the violator may be assessed
11 administrative fees and costs, and attorney's fees and costs.

12 (e) For the purposes of this section:

13 (1) "Aquarium purposes" means to hold salt water fish,
14 freshwater nongame fish, or other aquatic life alive
15 in a state of captivity as pets, for scientific study,
16 or for public exhibition or display, or for sale for
17 these purposes; and

18 (2) "Aquarium fish permit" means a permit issued by the
19 board for the use of fine mesh nets and traps to take
20 salt water fish, freshwater nongame fish, or other
21 aquatic life for aquarium purposes."



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

4 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: Cindy Evans
JAN 21 2011



Report Title:

Aquarium Fish

Description:

Imposes fines for each saltwater fish, freshwater nongame fish, or other specimen of aquatic life taken for aquarium purposes without an aquarium fish permit.

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