

JAN 27 2016

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# A BILL FOR AN ACT

RELATING TO HUNTING ON PRIVATE LANDS.

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

1           SECTION 1. The legislature finds that existing provisions  
2 in the law are inadequate to deter persons with firearms or  
3 other weapons from trespassing on lands and potentially causing  
4 bodily injury to others, or damage to property, livestock, and  
5 crops. These occurrences have been especially egregious on  
6 farms and ranches.

7           The purpose of this Act is to require those who wish to  
8 access private land for hunting to obtain written permission  
9 from the landowner.

10          SECTION 2. Section 183D-26, Hawaii Revised Statutes, is  
11 amended by amending subsection (a) to read as follows:

12           "(a) No person shall enter upon any land or premises  
13 belonging to, held, or occupied by another, for the purpose of  
14 hunting or to take any kind of wildlife including game without  
15 first having obtained written permission from the owner or a  
16 duly appointed agent, if the owner is the occupier or holder, or  
17 if the owner has let another occupy or hold the same, without  
18 having first obtained the written permission of the occupier or

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1 holder thereof, or the duly appointed agent of the occupier or  
2 holder."

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

6 SECTION 4. New statutory material is underscored.

7 SECTION 5. This Act, upon its approval, shall take effect  
8 on July 1, 2016.

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INTRODUCED BY: 

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BY REQUEST

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S.B. NO. 2802

**Report Title:**

Hunting on Private Lands

**Description:**

Requires hunters to obtain written permission from landowners or occupiers or holders of private lands to hunt on private lands. Effective July 1, 2016.

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

JUSTIFICATION SHEET

DEPARTMENT: Agriculture

TITLE: A BILL FOR AN ACT RELATING TO HUNTING ON PRIVATE LANDS.

PURPOSE: Requires hunters to obtain written permission from landowners or occupiers or holders of private lands to hunt on private lands.

MEANS: Amend section 183D-26(a), Hawaii Revised Statutes.

JUSTIFICATION: Farmers and ranchers often possess large land acreages on which they produce their agricultural commodity. Given the size of their land holdings, and the often scenic beauty and wildlife that exists on their property, farmers and ranchers often have to deal with people trespassing on to their property. This is particularly disturbing when trespassers are hunters carrying firearms or other weapons. While laws currently exist to deter this practice from happening, the reality is that they are inadequate to deter people from trespassing.

The intent of this legislation is not to prohibit hunting on private lands, but to tighten up regulation to ensure that hunters are receiving permission from landowners or occupiers or holders under such landowners to hunt on private lands. This will ensure greater safety and peace of mind for those landholders, often agriculturalists, to be able to better control access to their private lands.

Impact on the public: Would decrease the amount of trespassing that occurs on privately held lands.

Impact on the department and other agencies:  
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: AGR 192.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: July 1, 2016.