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# A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

1           SECTION 1. Section 149A-41, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3           "(c) Criminal penalties.

4           (1) In general, any registrant, commercial applicator,  
5 wholesaler, dealer, retailer, or other distributor who  
6 knowingly violates any provision of this chapter shall  
7 be guilty of a misdemeanor and shall on conviction be  
8 fined not more than \$25,000, or imprisoned for not  
9 more than one year, or both.

10          (2) Any private applicator or other person not included in  
11 paragraph (1) who knowingly violates any provision of  
12 this chapter shall be guilty of a misdemeanor and  
13 shall on conviction be fined not more than \$1,000, or  
14 imprisoned for not more than one year, or both.

15          (3) Any person who causes physical harm to another person  
16 through the negligent application of a pesticide shall  
17 be guilty of a class C felony and shall on conviction



1            be fined not more than \$10,000, or imprisoned for not  
2            more than five years, or both.

3            [~~3~~] (4) Any person, who, with intent to defraud, uses or  
4            reveals information relative to formulas of products  
5            acquired under the authority of section 3, Federal  
6            Insecticide, Fungicide, and Rodenticide Act (FIFRA),  
7            as amended, shall be fined not more than \$10,000, or  
8            imprisoned for not more than three years, or both."

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

12           SECTION 3. Statutory material to be repealed is bracketed  
13           and stricken. New statutory material is underscored.

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



**Report Title:**

Pesticides; Pesticide Use; Violations; Penalties

**Description:**

Makes it a class C felony for any person who causes physical harm to another person through the negligent application of a pesticide. (SD1)

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

