

JAN 17 2020

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# A BILL FOR AN ACT

RELATING TO HARASSMENT.

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

1 SECTION 1. Section 188-71, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§188-71[+] Harassment of fishermen; prohibition. (a)

4 No person shall intentionally prevent or attempt to prevent the  
5 lawful taking of fish by a person [~~licensed pursuant to section~~  
6 ~~188-50~~] fishing in state waters within the State's jurisdiction  
7 by[+] purposely:

8 (1) Placing the person's self in a location in which human  
9 presence may affect the behavior of fish to be taken  
10 or the feasibility of taking such fish;

11 (2) Creating a visual, aural, olfactory, or physical  
12 stimulus to affect the behavior of fish to be taken;

13 (3) Affecting the condition or placement of personal  
14 property intended for use in the taking; or

15 (4) Obstructing the person's access to areas in which the  
16 person intends to lawfully take fish[-],

17 with the intent to prevent the taking of fish.



1 (b) No person shall enter or remain upon public lands or  
2 waters, or upon private lands or waters, without permission of  
3 the owner or the owner's agent, with intent to violate this  
4 section.

5 (c) It shall not be a violation of subsection (a) to:

6 (1) Take photographs or video recording of a person  
7 engaged in the taking of fish or related activities  
8 while over one hundred feet away from the person;  
9 provided it may be a violation of subsection (a) if  
10 the person taking photos or video recording is less  
11 than one hundred feet away from the person; or

12 (2) Engage in activities pursuant to the department's  
13 makai watch program.

14 [~~e~~] (d) The maximum penalty for violation of subsection  
15 (a) or (b) is a fine of \$500, thirty days imprisonment, or  
16 both."

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

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



# S.B. NO. 2267

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

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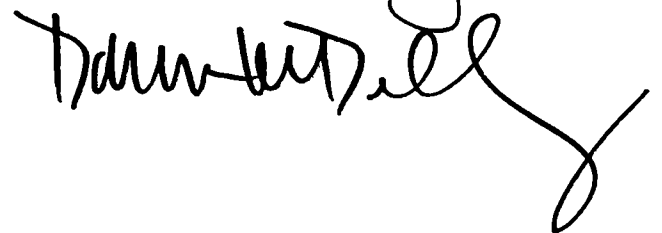
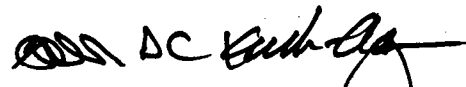
INTRODUCED BY:



*Michelle R. Sedani*



*Anna Mercedes K.*



# S.B. NO. 2267

**Report Title:**

Harassment; Fisherman

**Description:**

Prohibits purposeful harassment with the intent to prevent the taking of fish from persons who are fishing.

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

