

JAN 17 2020

A BILL FOR AN ACT

RELATING TO HUNTING.

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

1 SECTION 1. Section 183D-25.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+] §183D-25.5 [+]~~ **Hunting guides; licensing and reporting**
4 **requirements.** (a) No person shall engage in the business of
5 soliciting and guiding clients for the purpose of taking any
6 game bird or mammal without first procuring a hunting guide
7 license.

8 (b) A hunting guide license shall be issued to any person
9 who possesses a valid state hunting license and registers with
10 the department; provided that hunting guides shall provide
11 service only to clients with a current state hunting license,
12 unless the client is otherwise exempted by the department.

13 (c) Prior to guiding any client for the purpose of hunting
14 or taking any game bird or mammal on any land or premises
15 belonging to, held, or occupied by another, a hunting guide
16 shall obtain written permission from each landowner upon which



1 the hunting guide engages in their guide activities. Hunting
2 guides shall:

3 (1) Submit to the department's division of forestry and
4 wildlife the written permission form obtained from
5 landowner upon which the hunting guide engages in
6 their guide activities;

7 (2) Provide the department's division of forestry and
8 wildlife with a comprehensive listing of all lands or
9 premises belonging to, held, or occupied by another,
10 upon which the hunting guide engages in their guide
11 activities; provided that this listing shall include
12 the street address or tax map key number of each
13 parcel of land; and

14 (3) Carry a copy of the written permission obtained and
15 filed pursuant to this section at all times when
16 engaging in guide activities.

17 (d) The department shall:

18 (1) Verify the land owner listed on any written permission
19 form or comprehensive listing submitted pursuant to
20 this section; and



1 (2) Mail a copy to each landowner listed on any written
2 permission form or comprehensive listing submitted
3 pursuant to this section that includes the landowner's
4 parcel of land.

5 [~~e~~] (e) Hunting guides shall provide an annual report to
6 the department of their guide activities that shall include the
7 number of clients served and the clients' residency status. The
8 reports shall be submitted within thirty days after the
9 expiration of the hunting guide license issued pursuant to this
10 section. The failure to submit an annual report within the time
11 specified shall be grounds for the revocation and nonrenewal of
12 the hunting guide license."

13 SECTION 2. Section 183D-26, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "§183D-26 **Hunting on private lands prohibited.** (a) No
16 person shall enter upon any land or premises belonging to, held,
17 or occupied by another, for the purpose of hunting or to take
18 any kind of wildlife including game without first having
19 obtained written permission from the owner or a duly appointed
20 agent, if the owner is the occupier or holder, or if the owner
21 has let another occupy or hold the same, without having first



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

3 (b) Written permission obtained pursuant to subsection (a)
4 shall be filed with the department's division of forestry and
5 wildlife. Each person, while hunting or taking any kind of game
6 including wildlife on any land or premises belonging to, held,
7 or occupied by another, shall carry a copy of the written
8 permission obtained and filed pursuant to this section. The
9 department shall:

- 10 (1) Verify the landowner listed on any written permission
11 form submitted pursuant to this section; and
12 (2) Mail a copy to each landowner listed on any written
13 permission form submitted pursuant to this section
14 that includes the landowner's parcel of land.

15 [~~(b)~~] (c) No prosecution shall be brought under this
16 section, except upon the sworn complaint of the owner, occupier,
17 or holder of the land or premises, or a duly appointed agent, or
18 if the owner, occupier, or holder is either a corporation or a
19 partnership, then the complaint shall be sworn to by an officer
20 of the corporation or by one of the members of the partnership."



1 SECTION 3. The division of forestry and wildlife of the
2 department of land and natural resources shall create and make
3 available to the public a written permission form that may be
4 completed and filed in accordance with this Act by any person
5 engaged in hunting on private lands as an individual hunter or
6 as a hunting guide.

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

10 SECTION 5. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect upon its approval.

13

INTRODUCED BY: J. Kalam Eghli



S.B. NO. 2373

Report Title:

DLNR; Hunting; Wildlife; Private Lands

Description:

Requires any hunting guide or hunter to obtain and submit to the Department of Land and Natural Resources written permission from any private landowner upon which the hunting guide or hunter is engaged in guide or hunting activities. Requires the Division of Forestry and Wildlife of the Department of Land and Natural Resources to create and make available to the public a written permission form to be completed and filed by any hunting guide or hunter engaged in guide activities or hunting on private lands.

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

