



GOV. MSG. NO. 1313

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 27, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2022, the following bill was signed into law:

SB1411 SD2 HD1 CD1

RELATING TO HISTORIC PRESERVATION.
ACT 212

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Section 6E-11, Hawaii Revised Statutes, is
2 amended by amending subsection (f) to read as follows:
3 "(f) Any person who violates this section shall be fined
4 not more than [~~\$10,000~~] \$20,000 for each separate violation. If
5 the violator directly or indirectly has caused the loss of, or
6 damage to, any historic property or burial site, the violator
7 shall be fined an additional amount determined by the
8 environmental court or an administrative adjudicative authority
9 to be equivalent to the value of the lost or damaged historic
10 property or burial site. Each day of continued violation of
11 this provision shall constitute a distinct and separate
12 violation for which the violator may be punished. Any landowner
13 or developer responsible for any project where violations are
14 found to have occurred shall execute any mitigation and
15 preservation measures ordered by the department and shall be
16 jointly and severally liable for any costs of mitigation and
17 preservation. Equipment used by a violator for the taking,
18 appropriation, excavation, injury, destruction, or alteration of



1 any historic property or burial site, or for the transportation
2 of the violator to or from the historic property or burial site,
3 shall be subject to seizure and disposition by the State without
4 compensation to its owner or owners."

5 SECTION 2. Section 6E-11.5, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "~~§6E-11.5~~ **Civil penalties.** Except as provided in section
8 6E-11, any person who violates this chapter, or any rule adopted
9 pursuant to this chapter shall be fined not less than \$500 nor
10 more than [~~\$10,000~~] \$20,000 for each separate violation. Each
11 day of each violation constitutes a separate violation."

12 SECTION 3. Section 6E-12, Hawaii Revised Statutes, is
13 amended by amending subsection (d) to read as follows:

14 "(d) Any person violating this section shall be fined [~~no~~]
15 not more than [~~\$10,000-~~] \$25,000. Each historic object or part
16 of a prehistoric or historic human skeleton or associated burial
17 good offered for sale or trade or removed from the jurisdiction
18 in violation of this section shall constitute a distinct and
19 separate offense for which the offender may be punished."



1 SECTION 4. 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.

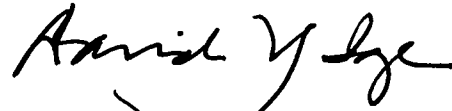
4 SECTION 5. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

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



S.B. NO. 1411
S.D. 2
H.D. 1
C.D. 1

APPROVED this 27th day of June , 2022


A handwritten signature in black ink, appearing to read "David I. Ige". The signature is fluid and cursive, with a large loop under the "I" and a long horizontal stroke at the end.


GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: May 3, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate

SB No. 1411, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives