

JAN 26 2022

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# A BILL FOR AN ACT

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RELATING TO THE DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT,  
AND TOURISM.

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

1       SECTION 1. Chapter 201, Hawaii Revised Statutes, is  
2       amended by adding a new section to be appropriately designated  
3       and to read as follows:

4       "§201-       State film coordinator; establishment. (a)

5       There is established within the department a state film  
6       coordinator to review, approve, and issue permits to film in the  
7       State pursuant to section 201-14.

8       (b) The state film coordinator shall be appointed by the  
9       director of business, economic development, and tourism without  
10      regard to chapter 76."

11      SECTION 2. Section 132D-6, Hawaii Revised Statutes, is  
12      amended to read as follows:

13      "**§132D-6 Exceptions.** The prohibitions in section 132D-5  
14      do not apply to:

15      (1) The use of flares, noisemakers, or signals for  
16      warning, pest control, or illumination purposes by



1 police and fire departments, utility companies,  
2 transportation agencies, and other governmental or  
3 private agencies or persons, including agricultural  
4 operations, in connection with emergencies, their  
5 duties, or business;

6 (2) The sale or use of blank cartridges for a show or  
7 theater, or for signal, commercial, or institutional  
8 purposes in athletics or sports;

9 (3) The purchase and use of consumer fireworks, aerial  
10 devices, display fireworks, or articles pyrotechnic:

11 (A) In a movie, television production, or theatrical  
12 production for which valid permits have been issued  
13 by a county pursuant to section 132D-10; and

14 (B) In a movie or television production for which  
15 valid permits have been issued by the ~~[department~~  
16 ~~of business, economic development, and tourism]~~  
17 state film coordinator pursuant to section 201-  
18 14, or for which permits have been approved by  
19 the authority having jurisdiction; and



(4) The testing, disposal, or destruction of illegal fireworks by an agency with authority to enforce this chapter."

SECTION 3. Section 201-14, Hawaii Revised Statutes, is amended to read as follows:

**"§201-14 Consolidated film permit processing.** (a) The ~~[department]~~ state film coordinator shall consult with state and county agencies in order to identify sites that can be used for making visually recorded productions under terms and conditions as may be determined by the state or county agency having jurisdiction over the sites.

(b) The ~~[department]~~ state film coordinator may accept an application from any person who proposes to make a motion picture, television show, television commercial, or other visually recorded production at one or more sites on state or county lands, whether or not set aside under section 171-11.

(c) The applicant shall identify the sites to be covered by the permit and provide other information as may be required by the ~~[department.]~~ state film coordinator.

(d) The ~~[department]~~ state film coordinator may approve and issue a permit to film at any of the sites identified by the



1 appropriate state or county agency under subsection (a). If any  
2 site requested for use by the applicant is not identified under  
3 subsection (a), the ~~[department]~~ state film coordinator shall  
4 consult with the appropriate state or county agency having  
5 jurisdiction over the site to obtain a permit. If the matter of  
6 a permit cannot be resolved in this manner, the ~~[department]~~  
7 state film coordinator shall refer the application to the  
8 appropriate state or county agency to obtain a permit.

9 (e) The ~~[department]~~ state film coordinator is authorized  
10 to make changes to, and extensions of, any approved permits so  
11 long as the changes and extensions do not conflict with the  
12 policies, terms, and conditions set forth by the agency having  
13 jurisdiction over the site in question.

14 (f) The ~~[department]~~ state film coordinator may establish  
15 memoranda of agreement or adopt rules to implement the intent  
16 and purposes of this section.

17 (g) Nothing in this section shall be construed as waiving  
18 the authority of any county or the department of transportation  
19 of the State to require a person to obtain a permit from the  
20 department or county where the production takes place on or from  
21 a public highway.



1 (h) A vessel engaged in temporary use for film production  
2 purposes in accordance with a film permit issued by the  
3 ~~[department]~~ state film coordinator shall not be considered to  
4 be a "commercial vessel" within the meaning of section 200-9,  
5 200-10, or 200-39; provided that:

6 (1) The period of temporary use does not exceed fourteen  
7 hours per day, five days per week, excluding weekends,  
8 and for a period not to exceed thirty calendar days;  
9 and

10 (2) The ~~[department]~~ state film coordinator may make  
11 allowances to include weekends for film production  
12 purposes due to inclement weather conditions during  
13 the weekday period."

14 SECTION 4. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$ or so  
16 much thereof as may be necessary for fiscal year 2022-2023 to  
17 establish and fill one full-time equivalent (1.00 FTE) state  
18 film coordinator position exempt from chapter 76, Hawaii Revised  
19 Statutes, in the department of business, economic development,  
20 and tourism.



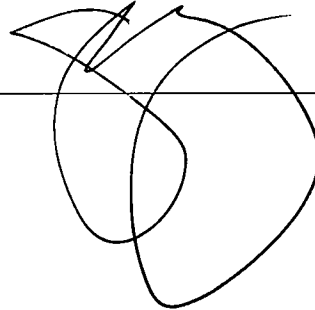
1       The sum appropriated shall be expended by the department of  
2 business, economic development, and tourism for the purposes of  
3 this Act.

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 on July 1, 2022.

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INTRODUCED BY: \_\_\_\_\_

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# S.B. NO. 3231

**Report Title:**

DBEDT; State Film Coordinator; Film Permits; Appropriation

**Description:**

Establishes the state film coordinator in the department of business, economic development, and tourism to review, approve, and issue permits to film in the State. Appropriates funds.

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

