

JAN 26 2022

A BILL FOR AN ACT

RELATING TO HUNTING GUIDES.

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

1 SECTION 1. The legislature finds that guided hunting tours
2 help manage game populations, provide a living wage for the
3 hunting guides, and help drive Hawaii's economy. As the
4 popularity of guided hunting tours have increased, some hunting
5 guides have guided their clients to hunt on private lands
6 without the permission of landowners. At times, landowners have
7 alarmingly witnessed unknown persons walking on their land with
8 guns or other weapons. While current law requires hunters to
9 obtain permission to hunt on private land, hunting guides often
10 simply lie and say they have oral permission, leading to
11 disagreements, allegations of trespassing, and damage to the
12 guided hunting tour industry from clients who believed they were
13 allowed to hunt on the private land.

14 The purpose of this Act is to require that hunting guides:

15 (1) Obtain written permission from private landowners
16 before taking their clients to hunt on private lands;
17 and



(2) Provide a copy of the written permission documents to the department of land and natural resources.

SECTION 2. Section 183D-25.5, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Hunting guides shall provide an annual report to the department of their guide activities that shall include ~~[the]~~:

(1) The number of clients served ~~[and the]~~;

(2) The clients' residency status~~[-]~~;

(3) The location of each guided hunt;

(4) For each guided hunt that occurred on private land, a copy of the written permission from the owner or duly appointed agent of the land or premises effective at the time of the guided hunt that was issued to the hunting guide pursuant to section 183D-26(b); and

(5) Other information as required by the department.

The reports shall be submitted within thirty days after the expiration of the hunting guide license issued pursuant to this section. The failure to submit an annual report within the time specified shall be grounds for the revocation and nonrenewal of the hunting guide license."



SECTION 3. Section 183D-26, Hawaii Revised Statutes, is amended to read as follows:

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

(b) No hunting guide licensed pursuant to section 183D-25.5 shall guide a client upon any land or premises belonging to, held, or occupied by another, for the purpose of hunting or to take any kind of wildlife, including game, without first having obtained written permission from the owner or a duly appointed agent, if the owner is the occupier or holder, or if the owner has let another occupy or hold the same, without having first obtained the written permission of the occupier or holder thereof, or the duly appointed agent of the occupier or holder.



1 [~~(b)~~] (c) No prosecution shall be brought under this
2 section, except upon the sworn complaint of the owner, occupier,
3 or holder of the land or premises, or a duly appointed agent, or
4 if the owner, occupier, or holder is either a corporation or a
5 partnership, then the complaint shall be sworn to by an officer
6 of the corporation or by one of the members of the partnership."

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 on January 1, 2023;
13 provided that the amendments made by section 2 shall apply to
14 all annual reports filed for the July 1, 2023, to June 30, 2024,
15 period and all annual reports filed thereafter.

16
INTRODUCED BY: _____

Lyn D. Crite



S.B. NO. 3251

Report Title:

DLNR; Hunting Guides; Private Land; Written Permission

Description:

Requires that hunting guides obtain written permission from private landowners or other appropriate person before taking their clients to hunt on those private lands. Requires hunting guides to provide copies of those written permission documents to the Department of Land and Natural Resources.

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

