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# 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, alarmed  
7 landowners have witnessed unknown persons walking on their land  
8 with guns or other weapons.

9           The purpose of this Act is to require:

- 10           (1) Hunting guides to obtain written permission from  
11           private landowners or other appropriate persons before  
12           hunting on private lands; and  
13           (2) Hunting guides to file the written permission with the  
14           department of land and natural resources' division of  
15           forestry and wildlife, as part of the hunting guide  
16           licensing process.



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

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

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

(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 clients']~~;

(2) The residency status~~[-]~~ of each client;

(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



1           the time of the guided hunt that was issued to the  
2           hunting guide pursuant to section 183D-26(c); and  
3           (5) Other information as required by the department.

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

9           (d) As part of the licensing process, hunting guides shall  
10          file the written permission obtained in accordance with section  
11          183D-26(a) with the department's division of forestry and  
12          wildlife. Hunting guides shall carry a copy of the written  
13          permission when guiding clients pursuant to section 183D-26."

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

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



1 has let another occupy or hold the same, without having first  
2 obtained the written permission of the occupier or holder  
3 thereof, or the duly appointed agent of the occupier or holder.

4 (b) No hunting guide licensed pursuant to section  
5 183D-25.5 shall guide a client upon any land or premises  
6 belonging to, held by, or occupied by another for the purpose of  
7 hunting or to take any kind of wildlife, including game, without  
8 first having obtained written permission from the owner or a  
9 duly appointed agent, if the owner is the occupier or holder, or  
10 if the owner has let another occupy or hold the same, without  
11 having first obtained the written permission of the occupier or  
12 holder thereof, or the duly appointed agent of the occupier or  
13 holder.

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



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 on July 1, 2050;  
7       provided that the amendments made by section 2 shall apply to  
8       all annual reports filed for the July 1, 2023, to June 30, 2024,  
9       period and all annual reports filed thereafter.



S.B. NO. 3251  
S.D. 1  
H.D. 2

**Report Title:**

Department of Land and Natural Resources; Hunting Guides;  
Private Land; Written Permission

**Description:**

Requires that hunting guides obtain written permission from private landowners or other appropriate persons before hunting on private lands. As part of the licensing process, requires hunting guides to file the written permission with the department of land and natural resources' division of forestry and wildlife. Requires hunting guides to carry a copy of the written permission with them while hunting or guiding clients. Effective 7/1/2050. (HD2)

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

