

GOV. MSG. NO. 1330

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

July 6, 2023

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

✓ The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second 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 July 6, 2023, the following bill was signed into law:

SB67 SD1 HD2 CD1

RELATING TO COMMERCIAL ACTIVITIES  
ON BEACHES.  
**ACT 227**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

on JUL 6 2023

THE SENATE  
THIRTY-SECOND LEGISLATURE, 2023  
STATE OF HAWAII

S.B. NO. 67  
S.D. 1  
H.D. 2  
C.D. 1

A BILL FOR AN ACT

RELATING TO COMMERCIAL ACTIVITIES ON BEACHES.

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

1 SECTION 1. Chapter 200, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§200- Prohibited commercial activities on certain  
5 beaches; administrative fine. (a) No commercial vendor shall  
6 preset commercial beach equipment on any beach under the  
7 jurisdiction of the department unless the customer is physically  
8 present for the immediate use of the commercial beach equipment.  
9 The commercial vendor shall expeditiously remove the commercial  
10 beach equipment after the customer has finished using it.

11 (b) The department may authorize exemptions to subsection  
12 (a) through rules adopted pursuant to chapter 91.

13 (c) Any commercial vendor who violates subsection (a)  
14 shall be subject to an administrative fine of:

- 15 (1) \$5,000 for a first offense;
- 16 (2) \$10,000 for a second offense; and
- 17 (3) \$15,000 for a third or subsequent offense.

18 (d) This section shall apply to beaches:



1       (1) Under the jurisdiction of the department, including  
2       private beaches in which the State has an easement or  
3       other property interest; and

4       (2) Within a county with a population of more than:

5           (A) Nine hundred thousand; or

6           (B) One hundred thousand but fewer than one hundred  
7           eighty thousand.

8       This section shall not apply to private beaches in which the  
9       State has no property interest.

10       (e) As used in this section:

11       "Commercial beach equipment" means recreational equipment  
12       for rent, including chairs, umbrellas, surfboards, paddleboards,  
13       kayaks, and other non-motorized watercraft equipment.

14       "Preset" means to set up or have physically ready for use  
15       commercial beach equipment by a commercial vendor."

16       SECTION 2. This Act does not affect rights and duties that  
17       matured, penalties that were incurred, and proceedings that were  
18       begun before its effective date.

19       SECTION 3. New statutory material is underscored.

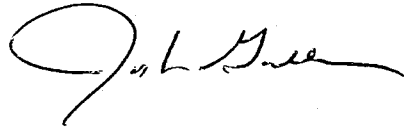
20       SECTION 4. This Act shall take effect upon its approval.



S.B. NO.

67  
S.D. 1  
H.D. 2  
C.D. 1

APPROVED this **6th** day of **July**, 2023

A handwritten signature in black ink, appearing to read "Josh Green". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke at the end.

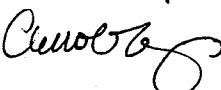
GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI‘I**

Date: May 4, 2023  
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai‘i, Regular Session of 2023.

  
President of the Senate

  
Clerk of the Senate

SB No. 67, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 4, 2023  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives