
A BILL FOR AN ACT

RELATING TO GEOTAGGING.

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

1 SECTION 1. The legislature finds that geotagging, which is
2 the process of appending geographic coordinates to media based
3 on the location of an electronic mobile device, allows a user to
4 easily share with others the user's location or where the user
5 visited; however, there are unintended and potentially dangerous
6 consequences of geotagging. The legislature further finds that
7 geotagging is one of many contributing factors of overtourism, a
8 major problem for the State as the increase in the number of
9 visitors each year takes a toll on the State's infrastructure
10 and natural resources.

11 Furthermore, the legislature finds that geotagging can
12 attract large numbers of visitors to locations that lack the
13 facilities needed to support large numbers of visitors, which
14 also creates safety issues. The legislature additionally finds
15 that geotagging has the potential to raise significant concerns
16 regarding personal privacy and cybersecurity.



1 Therefore, the purpose of this Act is to prohibit
2 geotagging on public lands in the State.

3 SECTION 2. Chapter 128B, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§128B- Geotagging; prohibited. (a) Notwithstanding
7 any law to the contrary, no person shall engage in geotagging on
8 public lands in the State.

9 (b) Geotagging is a misdemeanor.

10 (c) The department of law enforcement shall adopt rules
11 pursuant to chapter 91 to implement this section.

12 (d) As used in this section:

13 "Geotagging" means the process of appending geographic
14 coordinates to media based on the location of a mobile
15 electronic device.

16 "Mobile electronic device" has the same meaning as in
17 section 291C-137.

18 "Public lands" has the same meaning as in section 171-2."

19 SECTION 3. This Act does not affect rights and duties that
20 matured, penalties that were incurred, and proceedings that were
21 begun before its effective date.



H.B. NO. 2124

1 SECTION 4. New statutory material is underscored.

2 SECTION 5. This Act shall take effect upon its approval.

3

INTRODUCED BY:

A handwritten signature in black ink, appearing to be "C. A. S.", written over a horizontal line.

JAN 19 2024



H.B. NO. 2124

Report Title:

Geotagging; Public Lands; Prohibition

Description:

Prohibits geotagging on public lands in the State.

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