

ACT 222

H.B. NO. 2533

A Bill for an Act Relating to Quarantine.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 150A-14, Hawaii Revised Statutes, is amended by amending subsection (c)¹ to read as follows:

“(c) [Any] Notwithstanding section 706-640:

- (1) Any person or organization that violates [sections] section 150A-6(a)(3) or 150A-6(a)(4), or owns or intentionally transports, possesses, harbors, [propagates, sells,] transfers, or causes the importation of any snake or other prohibited animal seized under section 150A-7(b), or whose violation involves a plant, animal, or microorganism that is prohibited or restricted without a permit shall be guilty of a petty misdemeanor and [fined] subject to a fine of not less than \$500. The provisions of section 706-640 notwithstanding, the maximum fine shall be \$25,000.] \$5,000, but not more than \$20,000; and
- (2) Any person or organization who intentionally transports, harbors, or imports with the intent to propagate, sell, or release any plant, animal, or microorganism that is prohibited or restricted without a permit shall be guilty of a class C felony and subject to a fine of not less than \$50,000, but not more than \$200,000; and

(d)¹ For purposes of this section “intent to propagate” shall be presumed when the person or organization in question is found to possess, transport, harbor, or import:

- (1) Any two or more animal specimens of the opposite sex that are prohibited or restricted, without a permit;
- (2) Any three or more animal specimens of either sex that are prohibited or restricted, without a permit;
- (3) Any plant or microorganism having the inherent capability to reproduce and is prohibited or restricted, without a permit; or
- (4) Any specimen that is in the process of reproduction.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved July 20, 1998.)

Note

1. So in original.