

## ACT 269

H.B. NO. 619

A Bill for an Act Relating to Feral Birds.

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

SECTION 1. Section 322-1, Hawaii Revised Statutes, is amended to read as follows:

**“§322-1 Removal, prevention.** The department of health and its agents shall examine into all nuisances, foul or noxious odors, gases or vapors, water in which mosquito larvae exist, sources of filth, and all causes of sickness or disease, on shore, and in any vessel, which may be known to them or brought to their attention, which in their opinion are dangerous or injurious to health, and into any and all conditions created or existing which cause or tend to cause sickness or disease or to be dangerous or injurious to health, and shall cause the same to be abated, destroyed, removed, or prevented.

For purposes of this ~~[section,]~~ part, a nuisance shall include ~~[toxic]:~~

- (1) Toxic materials that are used in or by-products of the manufacture or conversion of methamphetamine, and clandestine drug labs that manufacture methamphetamine[-]; and
- (2) Odors and filth resulting from a person feeding feral birds.”

SECTION 2. Section 322-6, Hawaii Revised Statutes, is amended to read as follows:

**“§322-6 Who to report nuisances.** The sheriff ~~[and]~~, all officers of police, and physicians~~[-]~~ shall report to the department of health, or its nearest authorized agent, the existence of any nuisance injurious to the public health, of which any of them may be cognizant, as soon as possible after it comes to their knowledge. Any individual may report to the department of health, or its nearest authorized agent, the existence of any nuisance injurious to the public health as soon as possible after the individual learns of the existence of the nuisance.”

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

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved July 8, 2013.)