

ACT 197

H.B. NO. 201

A Bill for an Act Relating to Invasive Species.

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

SECTION 1. The purpose of this Act is to clarify that authorized agents may enter private property to control and eradicate invasive species under certain circumstances. However, this Act is not intended to enable entry onto private property for the purpose of controlling or eradicating non-prohibited pet animals.

SECTION 2. Section 194-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Whenever any invasive species identified by the council for control or eradication is ~~found~~:

(1) ~~Found on private property[;]; or~~

(2) Reasonably suspected to be on private property, based on the results of systematic surveys or reports or proximity to known populations, regardless of whether the presence of the invasive species is due to natural dispersal from neighboring or nearby properties or to intentional establishment by the owner, tenant, or occupant of the property, a department or applicable county, or its employees or authorized agents may enter the premises to control or

eradicate the invasive species after reasonable notice is given to the owner of the property and, if entry is refused, pursuant to the court order in subsection (d).”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect on July 1, 2019.

(Approved July 2, 2019.)