
A BILL FOR AN ACT

RELATING TO OCEAN WATERS.

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

1 SECTION 1. The ocean is Hawaii's greatest natural
2 resource, providing economic, recreational, cultural, and
3 spiritual benefits to residents and visitors alike. Residents
4 and visitors enjoy a wide variety of ocean related recreational
5 activities, many of which are subject to state regulation and
6 oversight through statute and administrative rules.

7 Over the past several years, there has been a rise in
8 popularity of floatilla events in Hawaii's nearshore waters. A
9 floatilla involves participants who gather in Hawaii's ocean
10 waters on floaties, kayaks, surfboards, paddleboards, boats, and
11 other aquatic devices and water craft to socialize and often
12 consume alcohol in excess while out of the direct view of law
13 enforcement or licensees responsible for maintaining compliance
14 with laws related to underage consumption. The popularity of
15 these events has raised concerns about public safety and the
16 protection of Hawaii's nearshore ocean environment. These
17 concerns were highlighted on July 4, 2017, when an estimated



1 ten-thousand individuals took part in a floatilla event in the
2 nearshore waters off of Waikiki. During this event, ocean
3 safety personnel rescued hundreds of individuals and emergency
4 medical services personnel treated numerous individuals. Ten
5 participants, including a participant who was in critical
6 condition, were transported to area hospitals. Many of these
7 individuals were treated or transported for alcohol related
8 issues and many were underage. In addition, hundreds of bottles
9 and cans and huge amounts of other rubbish were either left in
10 the ocean waters or left along the coastline causing
11 environmental concerns.

12 The legislature finds that, while consumption of alcohol
13 along the shoreline is for the most part prohibited, consumption
14 of alcohol while in the nearshore waters of the State is not
15 currently specifically regulated and action should be taken to
16 regulate this activity.

17 The purpose of this Act is to prohibit the consumption of
18 alcohol in the ocean waters of the State.

19 SECTION 2. Chapter 200, Hawaii Revised Statutes, is
20 amended by adding a new section to part I to be appropriately
21 designated and to read as follows:



1 "§200- Alcohol prohibited. (a) It shall be unlawful
2 for any person at any time to consume alcohol while in the ocean
3 waters of the State.

4 (b) Exceptions to the alcohol prohibition contained in
5 subsection (a) for commercial operations or permitted events may
6 be made in accordance with rules adopted by the department
7 pursuant to section 200-4.5 and chapter 91.

8 (c) For the purposes of this section, "alcohol" means the
9 product of distillation or any fermented liquid, whether
10 rectified or not, whatever may be the origin thereof and shall
11 include brandy, whiskey, rum, gin, okolehao, sake, beer, ale,
12 porter, wine, and any spirituous, vinous, malt or fermented
13 liquor, liquids and compounds, whether medicated, proprietary,
14 patented, or not, in whatever form and of whatever constituency
15 and by whatever name called, containing on-half of one per cent
16 or more of alcohol by volume, which are fit for use or may be
17 used or readily converted for use for beverage purposes.

18 (d) In addition to any other penalties provided under
19 chapter 281, any person who violates this section shall be
20 subject to a fine of \$."


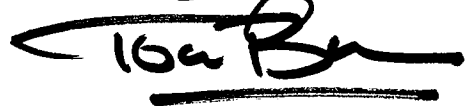

21 SECTION 3. New statutory material is underscored.



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

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INTRODUCED BY:

JAN 24 2018



H.B. NO. 2617

Report Title:

Ocean Waters; Alcohol Consumption; Prohibition

Description:

Prohibits alcohol consumption within the ocean waters of the State.

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