
A BILL FOR AN ACT

RELATING TO OCEAN WATERS.

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

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

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



1 concerns were highlighted on July 4, 2017, when an estimated
2 ten-thousand people took part in a floatilla event in the
3 nearshore waters off of Waikiki. During this event, ocean
4 safety personnel rescued hundreds of individuals and emergency
5 medical services personnel treated numerous individuals. Ten
6 participants, including a participant who was in critical
7 condition, were transported to area hospitals. Many of these
8 individuals were treated or transported for alcohol related
9 issues and many were underage. In addition, hundreds of bottles
10 and cans and huge amounts of other rubbish were either left in
11 the ocean waters or left along the coastline causing
12 environmental concerns.

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

17 The purpose of this Act is to prohibit the consumption of
18 liquor for bathers in the ocean within one thousand yards of any
19 beach or shoreline.



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

"§200- Consumption of liquor prohibited for bathers.

(a) It shall be unlawful for any bather at any time to consume liquor in the waters of the State within one thousand yards of any beach or shoreline.

(b) The department may authorize exceptions to subsection (a); provided that exceptions may only be made for commercial operations or properly permitted events.

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

(d) The department may adopt rules pursuant to chapter 91 to effectuate this section.

(e) For the purposes of this section:

"Bather" means any person floating, swimming, wading, or bodysurfing, with or without the use of a flotation device.

"Flotation device" means a device that a person floats upon or with the aid of, including a surfboard, paddleboard, surfmat, innertube, personal flotation device, or air mattress; provided



1 that it shall not include any device designed to be propelled by
2 sail, mechanical means, power, oars, or paddle.

3 "Liquor" means the same as defined in section 281-1."

4 SECTION 3. New statutory material is underscored.

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



Report Title:

Ocean Waters; Liquor Consumption; Prohibition

Description:

Prohibits liquor consumption for bathers within one thousand yards of any beach or shoreline in the State. (HB2617 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

