
A BILL FOR AN ACT

RELATING TO PUBLIC ACCESS TO BEACHES.

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

1 SECTION 1. The legislature finds that public access to
2 beaches is of paramount importance and a fundamental right.
3 People need access to public beaches so that they may enjoy the
4 natural resources of Hawaii and lawfully engage in recreational
5 opportunities at any time. This access is important to both
6 residents and visitors, the latter of which often take the time
7 to visit the State for the specific purpose of accessing its
8 beaches.

9 However, the legislature also finds that beach access has
10 been steadily declining over the years. Many points of access
11 that have been traditionally open to the public have either been
12 gated off or removed by private interests. Notably, some
13 records of these points of access have been lost to history.
14 The legislature further finds that public parking for beaches
15 has been eliminated through the loss of designated parking
16 areas, restrictions on the use of parking areas at certain



1 hours, or the unlawful placement of limitations on parking areas
2 and other legally required amenities.

3 The legislature believes that in light of the general
4 public's fundamental right to access beaches; the
5 constitutionally-protected right to engage in traditional and
6 cultural practices, which often require access to beaches; and
7 the economic benefit from tourism that includes visitors
8 accessing beaches, the State has a compelling interest in:

- 9 (1) Reopening currently closed public access points to
10 beaches;
- 11 (2) Identifying potential new public access points that
12 should be acquired based on public demand; and
- 13 (3) Enforcing parking regulations and other state laws and
14 county ordinances that are designed to facilitate
15 public access to beaches.

16 The legislature further finds that the input of
17 representatives from both the State and the counties is
18 necessary to create a plan that achieves the foregoing tasks.

19 Accordingly, the purpose of this Act is to establish a
20 public beach access task force consisting of state and county
21 officials to create such a plan.



1 SECTION 2. (a) There is established within the office of
2 the lieutenant governor for administrative purposes only a
3 public beach access task force.

4 (b) The public beach access task force shall comprise the
5 following individuals:

6 (1) The director of the office of planning, or the
7 director's designee, who shall serve as the
8 chairperson of the task force;

9 (2) The chairperson of the board of land and natural
10 resources or the chairperson's designee;

11 (3) The attorney general or the attorney general's
12 designee;

13 (4) Four members jointly appointed by the president of the
14 senate and the speaker of the house of
15 representatives; provided that:

16 (A) Two members shall be the directors of county
17 planning departments or their designees; provided
18 further that at least one member shall be the
19 director, or designee of a director, of a county
20 planning department other than the city and
21 county of Honolulu; and



1 (B) Two members shall be the chiefs of county police
2 departments or their designees; provided that at
3 least one member shall be the chief, or designee
4 of a chief, of a police department of a county
5 other than the city and county of Honolulu.

6 (c) The public beach access task force shall:

7 (1) Through the use of maps, historical documents, and
8 other resources, identify and create an inventory of
9 all points of access through which members of the
10 public traditionally have accessed beaches, and the
11 current status of each of those points of access;

12 (2) Develop a plan to:

13 (A) Improve public access to beaches by:

14 (i) Reopening currently closed points of access
15 to beaches; and

16 (ii) Opening new points of access to beaches, as
17 appropriate, based on public demand; and

18 (B) Determine what steps may be necessary to
19 accomplish the goals of subparagraph (A),
20 including the acquisition or condemnation of
21 land; and



(3) Recommend appropriate state laws and county ordinances that would increase and preserve public access to beaches.

(e) The task force shall cease to exist on June 30, 2019.

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

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H.B. NO. 2711

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H.B. NO. 2711

Report Title:

Beaches; Public Access; Task Force

Description:

Establishes a task force regarding public access to beaches.
Requires a report to the Legislature.

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

