
A BILL FOR AN ACT

RELATING TO HUNTING GUIDES.

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

1 SECTION 1. The legislature finds that guided hunting tours
2 help manage game populations, provide a living wage for the
3 hunting guides, and help drive Hawaii's economy. As the
4 popularity of guided hunting tours have increased, some hunting
5 guides have guided their clients to hunt on private lands
6 without the permission of landowners. At times, alarmed
7 landowners have witnessed unknown persons walking on their land
8 with guns or other weapons. While existing law requires hunters
9 to obtain permission to hunt on private land, hunting guides
10 often simply lie and say they have oral permission, leading to
11 disagreements, allegations of trespassing, and damage to the
12 guided hunting tour industry from clients who believed they were
13 allowed to hunt on the private land.

14 The purpose of this Act is to require:

- 15 (1) Hunters, including hunting guides, to obtain written
16 permission from private landowners or other
17 appropriate persons before hunting on private lands;



(2) Hunting guides to file the written permission with the department of land and natural resources' division of forestry and wildlife, as part of the hunting guide licensing process; and

(3) Hunters, including hunting guides, to carry a copy of the written permission with them when hunting on private lands.

SECTION 2. Section 183D-25.5, Hawaii Revised Statutes, is amended to read as follows:

"[f]§183D-25.5[f] Hunting guides; licensing and reporting requirements. (a) No person shall engage in the business of soliciting and guiding clients for the purpose of taking any game bird or mammal without first procuring a hunting guide license.

(b) A hunting guide license shall be issued to any person who possesses a valid state hunting license and registers with the department; provided that hunting guides shall provide service only to clients with a current state hunting license, unless the client is otherwise exempted by the department.

(c) Hunting guides shall provide an annual report to the department of their guide activities that shall include ~~[the]~~:



- 1 (1) The number of clients served [~~and the~~];
- 2 (2) The clients' residency status[+];
- 3 (3) The location of each guided hunt;
- 4 (4) For each guided hunt that occurred on private land, a
5 copy of the written permission from the owner or duly
6 appointed agent of the land or premises effective at
7 the time of the guided hunt that was issued to the
8 hunting guide pursuant to section 183D-26(c); and
- 9 (5) Other information as required by the department.

10 The reports shall be submitted within thirty days after the
11 expiration of the hunting guide license issued pursuant to this
12 section. The failure to submit an annual report within the time
13 specified shall be grounds for the revocation and nonrenewal of
14 the hunting guide license.

15 (d) As part of the licensing process, hunting guides shall
16 file the written permission obtained in accordance with section
17 183D-26(a) with the department's division of forestry and
18 wildlife. Hunting guides shall carry a copy of the written
19 permission when guiding clients pursuant to section 183D-26."

20 SECTION 3. Section 183D-26, Hawaii Revised Statutes, is
21 amended to read as follows:



1 **"§183D-26 Hunting on private lands prohibited.** (a) No
2 person shall enter upon any land or premises belonging to, held,
3 or occupied by another, for the purpose of hunting or to take
4 any kind of wildlife, including game, without first having
5 obtained written permission from the owner or a duly appointed
6 agent, if the owner is the occupier or holder, or if the owner
7 has let another occupy or hold the same, without having first
8 obtained the written permission of the occupier or holder
9 thereof, or the duly appointed agent of the occupier or holder.

10 (b) Each person, while hunting or taking any kind of game,
11 including wildlife on any land or premises belonging to, held
12 by, or occupied by another, shall carry a copy of the written
13 permission obtained pursuant to this section and filed pursuant
14 to section 183D-25.5(d), if applicable.

15 (c) No hunting guide licensed pursuant to section
16 183D-25.5 shall guide a client upon any land or premises
17 belonging to, held by, or occupied by another for the purpose of
18 hunting or to take any kind of wildlife, including game, without
19 first having obtained written permission from the owner or a
20 duly appointed agent, if the owner is the occupier or holder, or
21 if the owner has let another occupy or hold the same, without



1 having first obtained the written permission of the occupier or
2 holder thereof, or the duly appointed agent of the occupier or
3 holder.

4 ~~[(b)]~~ (d) No prosecution shall be brought under this
5 section, except upon the sworn complaint of the owner, occupier,
6 or holder of the land or premises, or a duly appointed agent, or
7 if the owner, occupier, or holder is either a corporation or a
8 partnership, then the complaint shall be sworn to by an officer
9 of the corporation or by one of the members of the partnership."

10 SECTION 4. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2050;
16 provided that the amendments made by section 2 shall apply to
17 all annual reports filed for the July 1, 2023, to June 30, 2024,
18 period and all annual reports filed thereafter.



Report Title:

Department of Land and Natural Resources; Hunters; Hunting Guides; Private Land; Written Permission

Description:

Requires that hunters, including hunting guides, obtain written permission from private landowners or other appropriate persons before hunting on private lands. As part of the licensing process, requires hunting guides to file the written permission with the department of land and natural resources' division of forestry and wildlife. Requires hunters, including hunting guides, to carry a copy of the written permission with them while hunting or guiding clients. Effective 7/1/2050. (HD1)

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