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# 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 livelihood for hunting  
3 guides, and help drive Hawaii's economy. The legislature  
4 further finds that, with the rising popularity of guided hunting  
5 tours, some hunting guides are taking their clients to hunt on  
6 private lands without obtaining permission from the landowners,  
7 and landowners have alarmingly witnessed unknown persons walking  
8 on their land with guns or other weapons. While existing law  
9 prohibits hunters from hunting on private lands without first  
10 obtaining permission from the landowner, some hunting guides  
11 misrepresent to their clients that they have obtained verbal  
12 permission from the landowner, leading to disagreements and  
13 allegations of trespassing, which damages the reputation of the  
14 State's guided hunting tour industry.

15           The purpose of this Act is to require hunting guides to:



1 (1) Obtain written permission from the owners of private  
2 lands before taking their clients to hunt on the  
3 private land; and

4 (2) Submit a copy of the written permission to the  
5 department of land and natural resources as part of  
6 their annual reports.

7 SECTION 2. Section 183D-25.5, Hawaii Revised Statutes, is  
8 amended by amending subsection (c) to read as follows:

9 "(c) Hunting guides shall [~~provide~~] submit an annual  
10 report of their guide activities to the department [~~of their~~  
11 ~~guide activities that~~] within thirty days after the expiration  
12 of their hunting guide licenses issued pursuant to this section.  
13 The annual report shall include [~~the number of clients served~~  
14 ~~and the clients' residency status. The reports shall be~~  
15 ~~submitted within thirty days after the expiration of the hunting~~  
16 ~~guide license issued pursuant to this section. The failure~~]:

- 17 (1) The number of clients served;
- 18 (2) The clients' residency status;
- 19 (3) The location of each guided hunt;
- 20 (4) A copy of the written permission from the owner or  
21 duly appointed agent of the land or premises effective



1           at the time of the guided hunt that was issued to the  
2           hunting guide pursuant to section 183D-26(b) for each  
3           guided hunt that occurred on private land; and  
4           (5) Other information as required by the department.

5 Failure to submit an annual report within the time specified  
6 shall be grounds for the revocation and nonrenewal of the  
7 hunting guide license."

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

10           "**§183D-26 Hunting on private lands prohibited.** (a) No  
11 person shall enter upon any land or premises belonging to, held,  
12 or occupied by another, for the purpose of hunting or to take  
13 any kind of wildlife, including game, without first having  
14 obtained permission from the owner or a duly appointed agent[~~r~~  
15 ~~if~~]; provided that the owner is the occupier or holder[~~r~~ ~~or if~~  
16 of the land or premises; provided further that, if the owner has  
17 let another occupy or hold the [~~same, without having first~~  
18 ~~obtained~~] land or premises, the permission [~~of~~] shall be  
19 obtained from the occupier or holder [~~thereof~~], or the duly  
20 appointed agent of the occupier or holder[~~r~~] of the land or  
21 premises.



1        (b) Hunting guides licensed pursuant to section 183D-25.5  
2 shall first obtain the permission required in subsection (a) in  
3 writing before guiding clients upon private lands.

4        [~~(b)~~] (c) 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 [~~]~~  
7 or]; provided that, if the owner, occupier, or holder is either  
8 a corporation or a partnership, [~~then~~] the complaint shall be  
9 sworn to by an officer of the corporation or [~~by one of the~~  
10 ~~members~~] a member of the partnership."

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

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

16        SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

DLNR; Hunting Guides; Private Land; Annual Reports; Written  
Permission

**Description:**

Requires hunting guides who take their clients to hunt on private lands to first obtain written permission from the owner of the private land, or occupier or holder, where appropriate. Requires hunting guides to provide copies of the written permissions obtained to hunt on private lands as part of their annual reports to the Department of Land and Natural Resources. Takes effect 7/1/2050. (SD1)

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

