
A BILL FOR AN ACT

RELATING TO BURIAL SITES.

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

1 SECTION 1. The purpose of this Act is to impose a fine of
2 \$1,000 on any private landowner who fails to disclose and record
3 the existence of burial or archaeological sites on their
4 property to the bureau of conveyances that the landowner knew or
5 should have known of.

6 SECTION 2. Chapter 508D, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§508D- Failure to disclose or record a burial or
10 archaeological site; penalty. There shall be imposed by a court
11 of competent jurisdiction a fine of \$1,000 on any private
12 landowner who fails to disclose and record with the bureau of
13 conveyances, or in documents used to offer real property for
14 sale, burial or archaeological sites located on the landowner's
15 property that the landowner knew of or should have known of.
16 All fines collected under this section shall be deposited into



1 the Hawaii historic preservation special fund established under
2 section 6E-16."

3 SECTION 3. Section 6E-16, Hawaii Revised Statutes, is
4 amended by amending subsection (a) to read as follows:

5 "(a) There [~~is~~] shall be established a Hawaii historic
6 preservation special fund into which shall be deposited the
7 following moneys:

8 (1) Appropriations by the legislature to the special fund;

9 (2) Gifts, donations, and grants from public agencies and
10 private persons;

11 (3) All proceeds collected by the department derived from
12 historic preserve user fees, historic preserve leases
13 or concession fees, fees charged to carry out the
14 purposes of this chapter, or the sale of goods; [~~and~~]

15 (4) Civil, criminal, and administrative penalties, fines,
16 and other charges collected under this chapter or any
17 rule adopted pursuant to this chapter[~~-~~]; and

18 (5) Fines collected under section 508D- .

19 All interest earned or accrued on moneys deposited in the fund
20 shall become part of the fund. The fund shall be administered
21 by the department; provided that the department may contract



1 with a public or private agency to provide the day-to-day
2 management of the fund."

3 SECTION 4. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 5. This Act shall take effect on July 1, 3000.



Report Title:

Bureau of Conveyances; Burial Sites; Private Property;
Landowners

Description:

Imposes a fine on any private landowner that fails to disclose or record with the Bureau of Conveyances, or in documents used to offer real property for sale, the existence of burial or archaeological sites on their property that the landowner knew or should have known of. Requires fines collected to be deposited into the Hawaii Historic Preservation Special Fund. Effective 7/1/3000. (HD1)

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

