
A BILL FOR AN ACT

RELATING TO TRESPASSING.

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

1 SECTION 1. The legislature finds that unauthorized
2 loitering or camping near streambanks on state-owned land
3 presents significant risks to public safety, the environment,
4 and the proper management of Hawaii's natural resources. These
5 activities can lead to:

- 6 (1) Pollution of waterways, affecting water quality and
7 aquatic ecosystems;
- 8 (2) Increased risks to individuals during adverse weather
9 conditions or flooding events;
- 10 (3) Disruption of state management activities, including
11 conservation and maintenance efforts; and
- 12 (4) Environmental degradation, such as erosion and
13 destruction of vegetation along streambanks.

14 The purpose of this Act is to authorize law enforcement to
15 remove individuals loitering or camping near state-owned
16 streambanks and establish clear guidelines to protect public and
17 environmental interests.



1 SECTION 2. Chapter 171, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§171- Unauthorized loitering or camping near state-
5 owned streambanks. (a) It shall be unlawful for any person to
6 loiter or camp within fifty feet of a state-owned streambank
7 unless explicitly authorized by the appropriate state agency.

8 (b) Law enforcement officers or authorized personnel may
9 remove individuals in violation of this section if the activity:

- 10 (1) Poses a risk to public safety, including risks
11 associated with flooding or adverse weather
12 conditions;
13 (2) Results in pollution or environmental degradation of
14 the stream or surrounding area;
15 (3) Interferes with state management or maintenance of the
16 stream and its banks;
17 (4) Damages vegetation or habitats, or contributes to
18 erosion along streambanks; or
19 (5) Violates any applicable state or local law or
20 ordinance.



1 (c) Individuals found in violation of this section shall
2 be issued a written notice to vacate and given up to twenty-four
3 hours to comply. If an individual fails to comply with the
4 notice within the specified timeframe, law enforcement may:

- 5 (1) Remove the individual and any personal property; and
6 (2) Store any personal belongings in accordance with the
7 State's abandoned property procedures.

8 (d) Any individual violating this section may be subject
9 to:

- 10 (1) A civil fine not exceeding \$500 for each violation;
11 (2) Mandatory community service focused on environmental
12 restoration or conservation; or
13 (3) Mandatory participation in mental health services,
14 substance abuse treatment, or other support programs,
15 as deemed appropriate to address any underlying issues
16 contributing to the individual's behavior.

17 (e) This section shall not apply to:

- 18 (1) Individuals authorized by the State to perform
19 conservation, maintenance, or other permitted
20 activities;



- 1 (2) Emergency responders or individuals temporarily
- 2 seeking refuge due to an imminent threat to personal
- 3 safety; or
- 4 (3) Activities expressly permitted by a valid state- or
- 5 county-issued permit."

6 SECTION 3. There is appropriated out of the general
 7 revenues of the State of Hawaii the sum of \$ or so
 8 much thereof as may be necessary for fiscal year 2025-2026 and
 9 the same sum or so much thereof as may be necessary for fiscal
 10 year 2026-2027 to support enforcement, public education, and
 11 environmental restoration efforts related to this Act.

12 The sums appropriated shall be expended by the department
 13 of land and natural resources for the purposes of this Act.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: *Jan Deme*
 JAN 21 2025



H.B. NO. 964

Report Title:

Streambanks; Loitering; Camping; Removal; Appropriation

Description:

Prohibits loitering or camping near state-owned streambanks. Authorizes law enforcement or authorized personnel to remove individuals after notice. Appropriates funds to support enforcement, public education, and environmental restoration efforts.

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

