
A BILL FOR AN ACT

RELATING TO INVASIVE SPECIES.

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

1 SECTION 1. The legislature finds that invasive species are
2 the single greatest threat to the State's economy and natural
3 environment, including native species, and to the health and
4 lifestyle of Hawaii's people. The impacts of invasive species
5 in the State have been severe, causing serious habitat
6 degradation, extinction of native species, increased wildfire
7 risk, increases in the cost of agriculture and livestock
8 production, and many other negative and expensive consequences.
9 Preventing pests from entering the State, or, if that fails,
10 taking steps to prevent a pest from spreading within the State,
11 are two critical measures that can protect Hawaii from the
12 negative impacts of invasive species.

13 The legislature, like the federal government, recognizes
14 the value of preventing the movement of invasive pests. Federal
15 law allows the United States Department of Agriculture to
16 conduct pre-departure inspections of all passengers, baggage,
17 cargo, and any other articles moving from the State to other



1 areas of the continental United States to protect against the
2 spread of pests from Hawaii. However, the federal government
3 does not provide any similar inspections for passengers or
4 material arriving in the State from other parts of the
5 continental United States.

6 The legislature recognizes that existing law does not
7 expressly authorize the Hawaii department of agriculture to
8 inspect non-agricultural commodities arriving in the State from
9 other parts of the United States, posing a serious gap that can
10 allow invasive species like the red imported fire ant and
11 wood-boring beetles to enter the State with other imports. For
12 example, once invasive pests such as the red imported fire ant
13 are present in the State, the department of agriculture will
14 require the authority to impose a quarantine and prevent the
15 movement of certain items to mitigate the spread of the pest.

16 The legislature notes that other states have and regularly
17 exercise the authority to quarantine areas, including
18 restricting the movement, possession, and sale of commodities
19 infested with a high-impact pest, and may also quarantine any
20 other products, articles, or means of conveyance of a high-
21 impact pest.



1 Accordingly, the purpose of this Act is to expand the
2 department of agriculture's authority to conduct certain
3 investigations and clarify certain penalties to prevent the
4 spread of invasive species in the State.

5 SECTION 2. Section 150A-2, Hawaii Revised Statutes, is
6 amended by adding a new definition to be appropriately inserted
7 and to read as follows:

8 "Person" means an individual, corporation, firm,
9 association, society, community, assembly, inhabitant of a
10 district or neighborhood, or person known or unknown, and the
11 public generally. "Person" includes a government and any of its
12 agencies, instrumentalities, or subdivisions."

13 SECTION 3. Section 150A-5, Hawaii Revised Statutes, is
14 amended to read as follows:

15 **"§150A-5 Conditions of importation.** (a) The importation
16 of any material that is infested or infected with an insect or
17 other animal, disease, or pest, or that is itself a pest, shall
18 be prohibited unless appropriate authorization is obtained from
19 the department before importation.

20 (b) The importation into the State of any of the following
21 articles, viz., nursery-stock, tree, shrub, herb, vine,



1 cut-flower, cutting, graft, scion, bud, seed, leaf, root, or
2 rhizome; nut, fruit, or vegetable; grain, cereal, or legume in
3 the natural or raw state; moss, hay, straw, dry-grass, or other
4 forage; unmanufactured log, limb, or timber, or any other
5 plant-growth or plant-product, unprocessed or in the raw state;
6 soil[~~+~~], including potting soil, growing mix, and mulch;
7 microorganisms; live bird, reptile, nematode, insect, or any
8 other animal in any stage of development (that is in addition to
9 the so-called domestic animal, the quarantine of which is
10 provided for in chapter 142); box, vehicle, baggage, or any
11 other container in which the articles have been transported or
12 any packing material used in connection therewith shall be made
13 in the following manner [~~hereinafter set forth~~]:

14 (1) Notification of arrival. Any person who receives for
15 transport or brings or causes to be brought to the
16 State as freight, air freight, baggage, or otherwise,
17 for the purpose of debarkation or entry [~~therein~~], or
18 as ship's stores, any of the foregoing articles,
19 shall, immediately upon the arrival thereof, notify
20 the department[~~+~~] in writing[~~+~~] of the arrival[~~+~~
21 giving]. The notification shall include the waybill



1 number, container number, name and address of the
2 consignor, name and address of the consignee or the
3 consignee's agent in the State, marks, number of
4 packages, description of contents of each package,
5 port at which laden, and any other information that
6 may be necessary to locate or identify the same[~~r~~
7 and]. The articles shall [~~hold the articles~~] be held
8 at the pier, airport, or any other place where [~~they~~]
9 the articles are first received or discharged, in a
10 manner that [~~they will not~~] prevents the spread or [be
11 ~~likely to spread]~~ likelihood of spreading any
12 infestation or infection of a pest, including insects
13 or diseases that may be present, until inspection and
14 examination can be made by the inspector to determine
15 whether [~~or not~~] any article, or any portion thereof,
16 is infested or infected with or contains any pest.
17 The department may adopt rules to require
18 identification of specific articles on negotiable and
19 non-negotiable warehouse receipts, bills of lading, or
20 other documents of title for inspection of pests. In



1 addition, the department shall adopt rules to
2 designate restricted articles that shall require:

3 (A) A permit from the department in advance of
4 importation; or

5 (B) A department letter of authorization or
6 registration in advance of importation.

7 The restricted articles shall include but not be
8 limited to certain microorganisms or living insects.
9 Failure to obtain the permit, letter of authorization,
10 or registration in advance [~~is~~] shall be a violation
11 of this section;

12 (2) Individual passengers, officers, and crew.

13 (A) It shall be the responsibility of the
14 transportation company to distribute, [~~prior to~~]
15 before the debarkation of passengers and baggage,
16 the State of Hawaii plant and animal declaration
17 form in paper or electronic form to each
18 passenger, officer, and crew member of any
19 aircraft or vessel originating in the continental
20 United States or its possessions or from any
21 other area not under the jurisdiction of the



1 appropriate federal agency [~~in order~~], so that
2 the passenger, officer, or crew member can comply
3 with the directions and requirements appearing
4 thereon. All passengers, officers, and crew
5 members, regardless of whether [~~or not~~] they are
6 bringing or causing to be brought for entry into
7 the State the articles listed on the form, shall
8 complete the declaration[~~, except~~]; provided that
9 one adult member of a family may complete the
10 declaration for other family members. Any person
11 who defaces the declaration form required under
12 this section, gives false information, fails to
13 declare restricted articles in the person's
14 possession or baggage, or fails to declare in
15 cargo manifests [~~is~~] shall be in violation of
16 this section;

17 (B) Completed paper forms shall be collected by the
18 transportation company and be delivered,
19 immediately upon arrival, to the inspector at the
20 first airport or seaport of arrival. Completed
21 electronic forms shall be transmitted to the



1 inspector before passengers depart the first
2 airport or seaport of arrival. Failure to
3 distribute or collect paper declaration forms,
4 immediately deliver completed paper forms, or
5 transmit completed electronic forms before
6 passengers depart the first airport or seaport of
7 arrival [~~is~~] shall be a violation of this
8 section; and

9 (C) It shall be the responsibility of the officers
10 and crew of an aircraft or vessel originating in
11 the continental United States or its possessions
12 or from any other area not under the jurisdiction
13 of the appropriate federal agency to immediately
14 report all sightings of any plants and animals to
15 the plant quarantine branch. Failure to comply
16 with this requirement is a violation of this
17 section;

18 (3) Plant and animal declaration form. The form shall
19 include directions for declaring domestic and other
20 animals cited in chapter 142, in addition to the
21 articles enumerated in this chapter;

- 1 (4) Labels. Each container in which any of the
2 abovementioned articles are imported into the State
3 shall be plainly and legibly marked, in a conspicuous
4 manner and place, with the name and address of the
5 shipper or owner forwarding or shipping the same, the
6 name or mark of the person to whom the same is
7 forwarded or shipped or the person's agent, the name
8 of the country, state, or territory and locality
9 therein where the product was grown or produced, and a
10 statement of the contents of the container. Upon
11 failure to comply with this paragraph, the importer or
12 carrier [~~is~~] shall be in violation of this section;
- 13 (5) Authority to administratively inspect. [~~Whenever the~~
14 ~~inspector has good cause to believe that the~~
15 ~~provisions of this chapter are being violated, the~~
16 ~~inspector may:~~
- 17 ~~(A) Enter and inspect any aircraft, vessel, or other~~
18 ~~carrier at any time after its arrival within the~~
19 ~~boundaries of the State, whether offshore, at the~~
20 ~~pier, or at the airport, for the purpose of~~
21 ~~determining whether any of the articles or pests~~



1 ~~enumerated in this chapter or rules adopted~~
2 ~~thereto, is present;~~

3 ~~(B) Enter into or upon any pier, warehouse, airport,~~
4 ~~or any other place in the State where any of the~~
5 ~~above-mentioned articles are moved or stored, for~~
6 ~~the purpose of ascertaining, by inspection and~~
7 ~~examination, whether or not any of the articles~~
8 ~~is infested or infected with any pest or disease~~
9 ~~or contaminated with soil or contains prohibited~~
10 ~~plants or animals; and~~

11 ~~(C) Inspect any baggage or personal effects of~~
12 ~~disembarking passengers, officers, and crew~~
13 ~~members on aircraft or vessels arriving in the~~
14 ~~State to ascertain if they contain any of the~~
15 ~~articles or pests enumerated in this chapter. No~~
16 ~~baggage or other personal effects of the~~
17 ~~passengers or crew members shall be released~~
18 ~~until the baggage or effects have been passed.~~

19 ~~Baggage or cargo inspection shall be made at the~~
20 ~~discretion of the inspector, on the pier, vessel, or~~
21 ~~aircraft or in any quarantine or inspection area.~~



1 ~~Whenever the inspector has good cause to believe~~
2 ~~that the provisions of this chapter are being~~
3 ~~violated, the inspector may require that any box,~~
4 ~~package, suitcase, or any other container carried as~~
5 ~~ship's stores, cargo, or otherwise by any vessel or~~
6 ~~aircraft moving between the continental United States~~
7 ~~and Hawaii or between the Hawaiian Islands, be opened~~
8 ~~for inspection to determine whether any article or~~
9 ~~pest prohibited by this chapter or by rules adopted~~
10 ~~pursuant thereto is present. It is a violation of~~
11 ~~this section if any prohibited article or any pest or~~
12 ~~any plant, fruit, or vegetable infested with plant~~
13 ~~pests is found;] An inspector may:~~

- 14 (A) Conduct inspections of persons, baggage, cargo,
15 and any other articles destined for movement
16 between the Hawaiian Islands or importation into
17 the State from the continental United States or
18 any territory or possession of the United States
19 for the purpose of determining whether an insect,
20 pest, disease, or prohibited, restricted, or
21 regulated taxon is present;



1 (B) Enter and inspect any aircraft, vessel, or other
2 carrier at any time after its arrival within the
3 boundaries of the State, whether offshore, at the
4 pier, or at the airport, and enter into or upon
5 any pier, airport, warehouse, or any other place
6 in the State for the purpose of conducting
7 inspections authorized by subparagraph (A); and

8 (C) Inspect any baggage and cargo on the pier,
9 vessel, or aircraft, or in any quarantine or
10 inspection area;

11 (6) Request for importation and inspection. In addition
12 to requirements of the appropriate United States
13 ~~[customs]~~ authorities concerning invoices or other
14 formalities incident to importations into the State,
15 the importer shall be required to file a written
16 statement with the department, signed by the importer
17 or the importer's agent, setting forth the importer's
18 desire to import certain of the above-mentioned
19 articles into the State and:

20 (A) ~~[Giving]~~ Providing the following additional
21 information:



- 1 (i) The kind (scientific name), quantity, and
- 2 description;
- 3 (ii) The locality where the same were grown or
- 4 produced;
- 5 (iii) Certification that all animals to be
- 6 imported are the progeny of captive
- 7 populations or have been held in captivity
- 8 for a period of one year immediately before
- 9 importation or have been specifically
- 10 approved for importation by the board;
- 11 (iv) The port from which the same were last
- 12 shipped;
- 13 (v) The name of the shipper; and
- 14 (vi) The name of the consignee; and
- 15 (B) Containing:
- 16 (i) A request that the department, by its duly
- 17 authorized agent, examine the articles
- 18 described;
- 19 (ii) An agreement by the importer to be
- 20 responsible for all costs, charges, or
- 21 expenses; and



1 (iii) A waiver of all claims for damages incident
2 to the inspection or the fumigation,
3 disinfection, quarantine, or destruction of
4 the articles, or any of them, as hereinafter
5 provided, if any treatment is deemed
6 necessary.

7 Failure or refusal to file a statement, including
8 the agreement and waiver, [~~is~~] shall be a violation of
9 this section and may, in the discretion of the
10 department, be sufficient cause for refusing to permit
11 the entry of the articles into the State;

12 (7) Place of inspection. If, in the judgment of the
13 inspector, it is deemed necessary or advisable to move
14 any [~~of the above-mentioned articles, or any portion~~
15 ~~thereof,~~] items or materials to a place more suitable
16 for inspection than the pier, airport, or any other
17 place where they are first received or discharged, the
18 inspector [~~is authorized to~~] may do so. All costs and
19 expenses incident to the movement and transportation
20 of the [~~articles~~] items or materials to any other
21 place shall be borne by the importer or the importer's



1 agent. If the importer, importer's agent, or
2 transportation company requests inspection of sealed
3 containers [~~of the above-mentioned articles~~] at
4 locations other than where the [~~articles~~] containers
5 are first received or discharged and the department
6 determines that inspection at the other place is
7 appropriate, the department may require payment of
8 costs necessitated by these inspections, including
9 overtime costs;

10 (8) Disinfection or quarantine. If, upon inspection, any
11 [~~article~~] item or material received or brought into
12 the State for the purpose of debarkation or entry
13 therein or moved between the Hawaiian Islands is found
14 to be so infested or infected, or there is reasonable
15 cause to presume that it is infested or infected, and
16 the infestation or infection can, in the judgment of
17 the inspector, be eradicated, a treatment shall be
18 given [~~such article.~~] to the item or material. The
19 treatment shall be at the expense of the owner or the
20 owner's agent, and the treatment shall be as
21 prescribed by the department. The [~~article~~] item or



1 material shall be held in quarantine at the expense of
2 the owner or the owner's agent at a satisfactory place
3 approved by the department for a sufficient length of
4 time to determine that eradication has been
5 accomplished. If the infestation or infection is of
6 the nature or extent that it cannot be effectively and
7 completely eradicated, or if it is a potentially
8 destructive pest or it is not widespread in the State,
9 or after treatment it is determined that the
10 infestation or infection is not completely eradicated,
11 or if the owner or the owner's agent refuses to allow
12 the [~~article~~] item or material to be treated or to be
13 responsible for the cost of treatment and quarantine,
14 the [~~article,~~] item or material, or any portion
15 thereof, together with all packing and containers,
16 may, at the discretion of the inspector, be destroyed
17 or sent out of the State at the expense of the owner
18 or the owner's agent. The destruction or exclusion
19 shall not be made the basis of a claim against the
20 department or the inspector for damage or loss
21 incurred;



1 (9) Disposition. Upon completion of inspection, either at
2 the time of arrival or at any time thereafter should
3 any [~~article~~] item or material be held for inspection,
4 treatment, or quarantine, the inspector shall affix to
5 the [~~article~~] item, material, or [~~the~~] container, or
6 to the delivery order in a conspicuous place thereon,
7 a tag, label, or stamp to indicate that the [~~article~~]
8 item or material has been inspected and passed. This
9 action shall constitute a permit to bring the
10 [~~article~~] item or material into the State; and

11 (10) Ports of entry. None of the [~~articles~~] items or
12 materials mentioned in this section shall be allowed
13 entry into the State except through the airports and
14 seaports in the State designated and approved by the
15 board."

16 SECTION 4. Section 150A-5.5, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) In legal effect, articles landed for the purpose of
19 inspection or quarantine shall be construed to be still outside
20 the State seeking entry, and shall not, in whole or in part, be
21 considered suitable for entry into the State unless a tag,



1 label, or stamp has been affixed to the article, item, or
 2 material, its container, or its delivery order by the inspector
 3 as provided in section [~~150A-5(9), except~~] 150A-5(b) (9);
 4 provided that articles quarantined in the biocontrol containment
 5 facilities of the department or of other government agencies
 6 engaged in joint projects with the department may be released
 7 upon issuance of a permit approved by the board."

8 SECTION 5. Section 150A-8, Hawaii Revised Statutes, is
 9 amended to read as follows:

10 "~~§150A-8~~ [Transporting in] Movement within the State[-];
 11 quarantine, treatment, destruction. (a) Flora [~~and~~], fauna,
 12 and any other item or material specified by rules [~~and~~
 13 ~~regulations~~] of the department shall not be moved from one
 14 island to another island within the State or from one locality
 15 to another on the same island except by a permit issued by the
 16 department.

17 (b) No person may sell, barter, or donate, or offer for
 18 sale, barter, or donation, or otherwise make available to the
 19 public, excluding items that the department provides access for
 20 research or testing, any item or material that is:

21 (1) Infested or infected with a pest;



1 (2) Itself a pest; or
 2 (3) Prohibited from being sold under this chapter or any
 3 rule adopted pursuant to this chapter.

4 (c) The department may compel the quarantine, treatment,
 5 or destruction of any item or material sold, bartered, donated,
 6 or offered for sale, barter, or donation, or otherwise made
 7 available, in violation of subsection (b). Any quarantine,
 8 treatment, or destruction shall be at the expense of the owner
 9 of the item or material and shall not be made the basis of a
 10 claim against the department or the inspector for damage or loss
 11 incurred."

12 SECTION 6. Section 150A-14, Hawaii Revised Statutes, is
 13 amended to read as follows:

14 "**§150A-14 Penalty.** (a) Any person who violates any
 15 provision of this chapter other than sections 150A-5[~~7~~] and
 16 150A-6(3)[~~7~~] and [~~150A-6~~](4), or who violates any rule adopted
 17 under this chapter other than those rules involving an animal
 18 that is prohibited [~~or~~], a plant[~~7~~] that is restricted, or an
 19 animal[~~7~~] or microorganism that is restricted[~~7~~] or unlisted,
 20 without a permit, shall be [~~guilty of a misdemeanor and~~] fined
 21 [~~not~~] no less than \$100[~~7~~]. ~~The provisions of section 706-640~~



1 ~~notwithstanding, the maximum fine shall be]~~ and no more than
 2 \$10,000. For a second [~~offense]~~ violation committed within five
 3 years of a prior [~~offense,~~] violation, the person [~~or~~
 4 ~~organization]~~ shall be fined [~~not]~~ no less than \$500 and [~~not]~~
 5 no more than \$25,000. Each day of violation shall constitute a
 6 separate offense. Any action taken to impose or collect the
 7 penalty provided for in this subsection shall be considered a
 8 civil action.

9 (b) Any person who [~~violates section]~~ :

10 (1) Violates section 150A-5 shall be [~~guilty of a petty~~
 11 ~~misdemeanor and]~~ fined [~~not]~~ no less than [~~\$50]~~ \$100
 12 and [~~not]~~ no more than [~~\$5,000.] \$10,000.~~ For a
 13 second [~~offense]~~ violation committed within five years
 14 of a prior [~~offense,~~] violation, the person may be
 15 fined [~~not]~~ no less than [~~\$250]~~ \$500 and [~~not]~~ no more
 16 than [~~\$15,000.] \$25,000; or~~

17 (2) Recklessly violates section 150A-6(3) or (4), or owns
 18 or recklessly transports, possesses, harbors,
 19 transfers, or causes the importation of any snake or
 20 other prohibited animal seized under section 150A-
 21 7(b), or whose violation involves an animal that is



1 prohibited, or a plant that is restricted, or an
 2 animal or microorganism that is restricted or
 3 unlisted, without a permit, shall be fined no less
 4 than \$1,000 and no more than \$20,000. For a second
 5 violation committed within five years of a prior
 6 violation, the person may be fined no less than \$1,000
 7 and no more than \$20,000.

8 Each day of violation shall constitute a separate offense.
 9 Any action taken to impose or collect the penalty provided for
 10 in this subsection shall be considered a civil action.

11 (c) Any person who:
 12 (1) [~~Violates~~] Knowingly violates section 150A-6(3) or
 13 [~~150A-6~~](4), or [~~owns or intentionally~~] knowingly
 14 transports, possesses, harbors, transfers, or causes
 15 the importation of any snake or other prohibited
 16 animal seized under section 150A-7(b), or whose
 17 violation knowingly involves an animal that is
 18 prohibited [~~or~~], a plant[~~]~~ that is restricted, or an
 19 animal[~~]~~ or microorganism that is restricted[~~]~~ or
 20 unlisted, without a permit, shall be guilty of a



1 misdemeanor and subject to a fine of [~~not~~] no less
2 than \$5,000 [~~, but not~~] and no more than \$20,000;

3 (2) [~~Intentionally~~] Knowingly transports, harbors, or
4 imports with the intent to propagate, sell, or release
5 any animal that is prohibited [~~or~~], any plant [~~]~~ that
6 is restricted, or any animal [~~]~~ or microorganism that
7 is restricted [~~]~~ or unlisted, without a permit, shall
8 be guilty of a class C felony and subject to a fine of
9 [~~not~~] no less than \$50,000 [~~, but not~~] and no more than
10 \$200,000; or

11 (3) [~~Intentionally~~] Knowingly imports, possesses, harbors,
12 transfers, or transports, including through
13 interisland or intraisland movement, with the intent
14 to propagate, sell, or release, any pest designated by
15 statute or rule, unless otherwise allowed by law,
16 shall be guilty of a class C felony and subject to a
17 fine of [~~not~~] no less than \$50,000 [~~, but not~~] and no
18 more than \$200,000.

19 (d) Whenever a [~~court sentences a~~] person [~~or~~
20 ~~organization~~] is subject to a penalty pursuant to subsection
21 (a), (b), or (c) for [~~an offense which~~] a violation that has

1 resulted in the escape or establishment of any pest and caused
2 the department to initiate a program to capture, control, or
3 eradicate that pest, ~~[the]~~ a court ~~[shall also]~~ may require that
4 the person ~~[or organization]~~ pay ~~[to the state general fund]~~ an
5 amount of money to be determined in the discretion of the court
6 upon advice of the department, based upon the cost of the
7 development and implementation of the program. Any amount
8 collected under this subsection shall be deposited into the pest
9 inspection, quarantine, and eradication fund established
10 pursuant to section 150A-4.5.

11 (e) The department may, at its discretion, refuse entry,
12 confiscate, or destroy any prohibited articles or restricted
13 articles that are brought into the State without a permit issued
14 by the department, or order the return of any plant, fruit,
15 vegetable, or any other article infested with pests to its place
16 of origin or otherwise dispose of it or ~~[such]~~ any part thereof
17 as may be necessary to comply with this chapter. Any expense or
18 loss in connection therewith shall be borne by the owner or the
19 owner's agent.

20 (f) Any person ~~[or organization]~~ that voluntarily
21 surrenders any prohibited animal ~~[or]~~, any restricted plant, or



1 any restricted or unlisted animal[7] or microorganism, without a
2 permit issued by the department, [~~prior to~~] before the
3 initiation of any seizure action by the department, shall be
4 exempt from the penalties of this section.

5 (g) When construing and enforcing this chapter, the act,
6 omission, or failure of any officer, agent, or other person
7 acting for or employed by any person shall in every case be
8 deemed to be the act, omission, or failure of the person and the
9 person employed by or acting for the person.

10 [~~(g)~~] (h) For purposes of this section, "intent to
11 propagate" shall be presumed when the person in question is
12 found to possess, transport, harbor, or import:

13 (1) Any two or more animal specimens of the opposite sex
14 that are prohibited or restricted, without a permit,
15 or are a pest designated by statute or rule;

16 (2) Any three or more animal specimens of either sex that
17 are prohibited or restricted, without a permit, or are
18 a pest designated by statute or rule;

19 (3) Any plant or microorganism having the inherent
20 capability to reproduce and that is restricted,
21 without a permit; or



1 (4) Any specimen that is in the process of reproduction."

2 SECTION 7. This Act does not affect rights and duties that
3 matured, penalties that were incurred, and proceedings that were
4 begun before its effective date.

5 SECTION 8. If any provision of this Act, or the
6 application thereof to any person or circumstance, is held
7 invalid, the invalidity does not affect other provisions or
8 applications of the Act that can be given effect without the
9 invalid provision or application, and to this end the provisions
10 of this Act are severable.

11 SECTION 9. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 10. This Act shall take effect on July 1, 3000.



Report Title:

DOA; Pests; Invasive Species; Importation; Inspection; Sale;
Prohibition; Quarantine; Penalties

Description:

Clarifies that the importation of any pest or material infested or infected with an insect or other animal, disease, or pest is prohibited. Authorizes the Department of Agriculture to administratively inspect any article imported or moved into the State from the continental United States or between the Hawaiian Islands. Prohibits the sale, barter, or donation of items or material that is a pest, is infested or infected with a pest, or prohibited from being sold. Authorizes the Department of Agriculture to compel the quarantine, treatment, or destruction of certain materials. Clarifies penalties for various quarantine and import law violations, based in part on whether violations were knowingly committed. Effective 7/1/3000. (HD2)

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

