
A BILL FOR AN ACT

RELATING TO THE COUNTIES.

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

1 SECTION 1. The legislature finds that the counties manage
2 and control public lands within their jurisdictions, including
3 lands of great natural, cultural, and recreational significance.
4 These lands are used by residents and visitors and are essential
5 to the public's enjoyment, health, and welfare.

6 The legislature further finds that circumstances sometimes
7 require the temporary or permanent closure or restriction of
8 public access to these lands. These circumstances may include
9 natural disasters, hazardous conditions, wildfire risks,
10 erosion, flooding, cultural site preservation, public
11 sanitation, and other threats to public health or safety.

12 The purpose of this Act is to authorize the counties to
13 restrict or close public lands under the county's jurisdiction
14 when necessary to protect public health, ensure public safety,
15 or preserve natural or cultural resources.



1 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to part V to be appropriately designated
3 and to read as follows:

4 "§46- Closure or restriction of public use of
5 county-controlled property. (a) Each county, or the county's
6 authorized representative, may close or restrict the public use
7 of any property under the county's management or control when
8 necessary to protect public health, ensure public safety, or
9 preserve natural or cultural resources.

10 (b) Closures or restrictions under this section may
11 include the temporary or permanent:

- 12 (1) Denial of access to specific areas;
- 13 (2) Imposition or modification of hours of operation;
- 14 (3) Prohibition or limitation of specified activities; or
- 15 (4) Establishment of conditions for entry or use.

16 (c) The county shall give public notice of any closure or
17 restriction imposed under this section in a manner reasonably
18 calculated to inform the public, including the posting of
19 appropriate signs at or near the affected property, publication
20 on the county's official website, or by other reasonable means
21 as determined by the county.



1 (d) Nothing in this section shall be construed to limit
2 the authority of the county to close or restrict access for
3 other lawful reasons or under any other provisions of law."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 3000.



Report Title:

Counties; Public Lands; Closure

Description:

Authorizes the counties to close public lands when necessary to protect public health, ensure public safety, or preserve natural or cultural resources. Effective 7/1/3000. (HD1)

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