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# A BILL FOR AN ACT

RELATING TO ILLEGAL CAMPING.

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

SECTION 1. The legislature finds that unauthorized camping and habitation on public beaches and properties adversely affect public access, environmental quality, and the safety and well-being of all residents and visitors. The legislature further finds that the United States Supreme Court decision in *Grants Pass v. Johnson*, 603 U.S.\_\_(2024), affirms the constitutionality of city and state measures to regulate camping in public areas when shelter options are available.

Accordingly, the purpose of this Act is to:

- (1) Enforce existing prohibitions on unlawful camping;
- (2) Enhance enforcement mechanisms; and
- (3) Provide supportive services to individuals experiencing homelessness.

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



1        "§171-        Homeless encampments on public land; report.

2        The department, in coordination with appropriate county  
3        agencies, shall:

4            (1)    Identify and restore vacated homeless encampment areas  
5            on public lands in the State; and

6            (2)    Beginning with the 2027 regular session, submit an  
7            annual report to the legislature no later than twenty  
8            days prior to the convening of each regular session,  
9            detailing:

10           (A)    The parcels of public land that were identified  
11           and restored during the reporting year; and

12           (B)    The appropriation amount expended for  
13           restorations pursuant to this section."

14        SECTION 3.    Section 708-814.5, Hawaii Revised Statutes, is  
15        amended to read as follows:

16        "[~~§~~708-814.5[~~§~~]    **Criminal trespass onto public parks and**  
17        **recreational grounds.**    (1)    A person commits the offense of  
18        criminal trespass onto public parks and recreational grounds if  
19        the person remains unlawfully in or upon a public park or  
20        recreational ground after a request to leave is made by any law  
21        enforcement officer, when the request is based upon violation by



1 the person of any term of use specified on a sign or notice  
2 posted on the property, or based on violation of any term of use  
3 contained in, or the expiration of, any permit relating to the  
4 person's presence on the property.

5 (2) For the purposes of this section, unless the context  
6 requires otherwise:

7 "Law enforcement officer" has the same meaning as in  
8 section 710-1000.

9 "Public park or recreational ground" means any park, park  
10 roadway, playground, athletic field, beach, shore, beach or  
11 shore right-of-way, tennis court, golf course, swimming pool, or  
12 other recreational area or facility under control, maintenance,  
13 and management of the State or any of the counties.

14 (3) Criminal trespass onto public parks and recreational  
15 grounds is a petty misdemeanor[+] punishable by a fine of not  
16 less than:

17 (a) \$100 for a first offense;

18 (b) \$200 for a second offense; and

19 (c) \$400 or imprisonment for not less than thirty days, or  
20 both, for a third or subsequent offense.



1        (4) Abandoned or unattended personal property of any  
2 person unlawfully left in or upon a public park or recreational  
3 ground may be seized and disposed of as provided by law;  
4 provided that articles or instruments posing immediate health or  
5 safety risks shall be seized and immediately disposed of."

6        SECTION 4. (a) The department of human services shall  
7 establish a homeless outreach and case management program to:

8        (1) Provide transportation to designated shelters; and

9        (2) Offer referrals for medical, mental health, and

10       substance abuse services.

11       (b) The department shall collaborate with nonprofit  
12 organizations and other agencies to ensure designated shelter  
13 options are available.

14       (c) For the purposes of this section, "designated shelter"  
15 means a facility providing temporary housing and essential  
16 services.

17       SECTION 5. (a) Nothing in this Act shall be interpreted  
18 to contravene the individual rights of any person under the  
19 United States and Hawaii state constitutions.



1 (b) All enforcement actions pursuant to this Act shall  
2 ensure compliance with the United States Supreme Court decision  
3 in *Grants Pass v. Johnson*, 603 U.S.\_ (2024).

4 SECTION 6. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$ or so  
6 much thereof as may be necessary for fiscal year 2026-2027 for  
7 the purposes of this Act; provided that of the sums  
8 appropriated:

9 (1) \$ or so much thereof as may be necessary  
10 shall be appropriated to the department of human  
11 services; and

12 (2) \$ or so much thereof as may be necessary  
13 shall be appropriated to the department of land and  
14 natural resources;

15 pursuant to sections 2, 3, and 4 of this Act.

16 The sums appropriated shall be expended by the department  
17 of human services and department of land and natural resources  
18 for the purposes of this Act.

19 SECTION 7. If any provision of this Act, or the  
20 application thereof to any person or circumstance, is held  
21 invalid, the invalidity does not affect other provisions or



1 applications of the Act that can be given effect without the  
2 invalid provision or application, and to this end the provisions  
3 of this Act are severable.

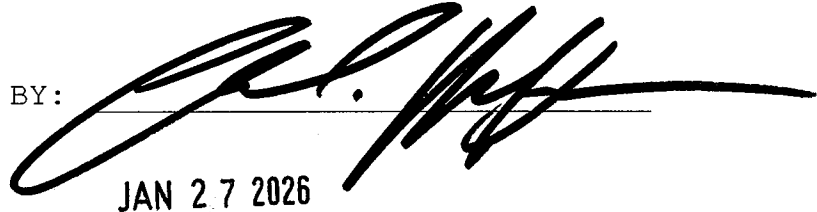
4 SECTION 8. This Act does not affect rights and duties that  
5 matured, penalties that were incurred, and proceedings that were  
6 begun before its effective date.

7 SECTION 9. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 10. This Act shall take effect on July 1, 2026.

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INTRODUCED BY:



JAN 27 2026



# H.B. NO. 2354

**Report Title:**

DHS; DLNR; Illegal Camping; Homelessness; Encampments; Beaches; Parks; Recreational Areas; Public Property; Report; Appropriation

**Description:**

Clarifies petty misdemeanor penalties for the offense of criminal trespass onto public parks and recreational grounds. Provides for seizure of abandoned or unattended personal property. Requires the Department of Human Services to establish a homeless outreach and case management program. Requires the Department of Land and Natural Resources to identify and restore vacated homeless encampment areas in the State and report to the Legislature. Appropriates moneys.

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

