

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1163

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

May 29, 2026

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on May 29, 2026, the following bill was signed into law:

H.B. NO. 2395, H.D. 2, S.D. 1,
C.D. 1

RELATING TO THE TAKING OF MARINE
DEPOSITS.
ACT 063

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO THE TAKING OF MARINE DEPOSITS.

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

1 SECTION 1. The legislature finds that the department of
2 land and natural resources regularly receives requests for
3 permits that involve the taking of sand, dead coral or coral
4 rubble, rocks, soil, or other marine deposits from state waters
5 for research, education, management, or propagation purposes.
6 However, existing law does not authorize the department to
7 approve these permit requests.

8 Accordingly, the purpose of this Act is to allow for the
9 taking of sand, dead coral or coral rubble, rocks, soil, or
10 other marine deposits seaward from the shoreline for research,
11 education, management, or propagation purposes when authorized
12 by permits issued by the department of land and natural
13 resources; provided that the resources will be returned to the
14 beach if possible and pose no risk to the environment.

15 SECTION 2. Section 171-58.5, Hawaii Revised Statutes, is
16 amended to read as follows:



1 **"§171-58.5 Prohibitions.** The mining or taking of sand,
2 dead coral or coral rubble, rocks, soil, or other marine
3 deposits seaward from the shoreline [~~is~~] shall be prohibited
4 with the following exceptions:

- 5 (1) The inadvertent taking from seaward of the shoreline
6 of these materials, such as those inadvertently
7 carried away on the body, and on clothes, toys,
8 recreational equipment, and bags;
- 9 (2) For the replenishment or protection of public
10 shoreline areas and adjacent public lands seaward of
11 the shoreline, or construction or maintenance of state
12 approved lagoons, harbors, launching ramps, or
13 navigational channels with a permit authorized under
14 chapter 183C;
- 15 (3) The clearing of these materials from existing drainage
16 pipes and canals and from the mouths of streams
17 including clearing for the purposes under section
18 46-11.5; provided that the sand removed shall be
19 placed on adjacent areas unless this placement would
20 result in significant turbidity;



1 (4) The cleaning of areas seaward of the shoreline for
2 state or county maintenance purposes including the
3 purposes under section 46-12; provided that the sand
4 removed shall be placed on adjacent areas unless the
5 placement would result in significant turbidity;

6 (5) The taking of these materials for research, education,
7 management, or propagation purposes when authorized by
8 a permit issued by the department; provided that the
9 resources shall be returned to the beach if possible
10 and that the taking poses no more than a minimal or
11 negligible risk to the environment;

12 [~~+5~~] (6) The exercise of traditional cultural practices as
13 authorized by law or as permitted by the department
14 pursuant to article XII, section 7, of the Hawaii
15 State Constitution; or

16 [~~+6~~] (7) For the response to a public emergency or a state
17 or local disaster."

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

20 SECTION 4. This Act shall take effect upon its approval.



H.B. NO. 2395
H.D. 2
S.D. 1
C.D. 1

APPROVED this 29th day of May, 2026



GOVERNOR OF THE STATE OF HAWAII

HB No. 2395, HD 2, SD 1, CD 1

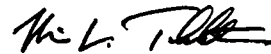
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 6, 2026
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.



Nadine K. Nakamura
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

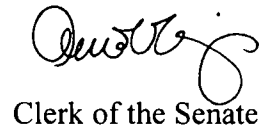
THE SENATE OF THE STATE OF HAWAI'I

Date: May 6, 2026
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2026.



President of the Senate



Clerk of the Senate