
A BILL FOR AN ACT

RELATING TO TRESPASS.

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

1 SECTION 1. Section 183D-5, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Any person violating section 183D-25.5, 183D-26,
4 183D-32, 183D-62, 183D-64, or 183D-66 shall be guilty of a
5 misdemeanor, and upon conviction thereof, shall be sentenced as
6 follows:

7 (1) For a first conviction, by a mandatory fine of not
8 less than \$200, or by imprisonment of not more than
9 one year, or both and all animal parts, products, or
10 items containing prohibited animal parts or products
11 involved in the commission of the violations shall be
12 considered contraband to be forfeited to and disposed
13 of by the State;

14 (2) For a second conviction within five years of a
15 previous conviction, by a mandatory fine of not less
16 than \$1,000, or by imprisonment of not more than one
17 year, or both, and all firearms, animal parts,



1 products, or items containing prohibited animal parts
2 or products used in the commission of the violations
3 shall be considered contraband to be forfeited to and
4 disposed of by the State; and

5 (3) For a third or subsequent conviction within five years
6 of the first two or more convictions, by a mandatory
7 fine of not less than \$2,000, or by imprisonment of
8 not more than one year, or both, and all firearms,
9 animal parts, products, or items containing prohibited
10 animal parts or products used in the commission of the
11 violations shall be considered contraband to be
12 forfeited to and disposed of by the State;

13 provided that any violation of section 183D-26 or 183D-27 that
14 occurs on agricultural land shall be sentenced pursuant to
15 subsection (d) [-]; provided further that, regardless of whether
16 the offense occurs on agricultural land, all animal parts,
17 products, or items containing prohibited animal parts or
18 products involved in the commission of an offense under section
19 183D-26 shall be considered contraband to be forfeited to and
20 disposed of by the State; provided further that, regardless of
21 whether the offense occurs on agricultural land, any person that



1 uses their property, including firearms, hunting animals, or
2 vehicles, in the commission of an offense under section 183D-26,
3 or to facilitate or assist in the offense, shall, for a first
4 offense, be subject to a fine of no less than \$2,000 and, for a
5 second or subsequent offense, shall have the property used in
6 the commission, facilitation, or assistance of the offense be
7 subject to forfeiture pursuant to chapter 712A."

8 SECTION 2. This Act does not affect rights and duties that
9 matured, penalties that were incurred, and proceedings that were
10 begun before its effective date.

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

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



Report Title:

Trespass; Hunting; Motor Vehicles; Firearms; Forfeiture; Fine

Description:

Provides that any person who uses their property, including firearms, hunting animals, or vehicles, to hunt on private land without the permission of the owner or occupier of the land shall be subject to a fine for a first offense and have their property be subject forfeiture to the State for a second or subsequent offense. Effective 7/1/3000. (HD1)

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

