
A BILL FOR AN ACT

RELATING TO TRESPASS.

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

1 SECTION 1. Section 183D-26, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§183D-26 Hunting on private lands prohibited.** (a) No
4 person shall enter upon any land or premises belonging to, held,
5 or occupied by another, for the purpose of hunting or to take
6 any kind of wildlife including game without first having
7 obtained permission from the owner or a duly appointed agent, if
8 the owner is the occupier or holder, or if the owner has let
9 another occupy or hold the same, without having first obtained
10 the permission of the occupier or holder thereof, or the duly
11 appointed agent of the occupier or holder.

12 (b) Any firearm or motor vehicle possessed and used in
13 violation of subsection (a) shall be forfeited to the State
14 pursuant to chapter 712A; provided that for a first offense, a
15 court may reduce the penalty to a fine of not less than \$2,000.

16 [~~b~~] (c) No prosecution shall be brought under this
17 section, except upon the sworn complaint of the owner, occupier,



1 or holder of the land or premises, or a duly appointed agent, or
2 if the owner, occupier, or holder is either a corporation or a
3 partnership, then the complaint shall be sworn to by an officer
4 of the corporation or by one of the members of the partnership.

5 (d) For the purposes of this section:

6 "Firearm" has the same meaning as defined in section 134-1.

7 "Motor vehicle" has the same meaning as defined in section
8 286-2."

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

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 Statutory material to be repealed is bracketed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

14 SECTION 4. This Act shall take effect on July 1, 2050.



S.B. NO. 2128
S.D. 2

Report Title:

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

Description:

Provides that any firearm or motor vehicle possessed and used by a person who hunts on private land without the permission of the owner or occupier of the land shall be forfeited to the State pursuant to chapter 712A, HRS. Authorizes a court to reduce the penalty from forfeiture to a fine of a certain amount for a first offense. Effective 7/1/2050. (SD2)

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