

ACT 206

H.B. NO. 2074

A Bill for an Act Relating to Penalties of Health, Environmental, and Cultural Preservation Laws.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 201M-8, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Subsection (a) shall not apply [~~when~~]:

- (1) [A] When a small business fails to exercise good faith in complying with the statute or rules;
- (2) [A] When a violation involves wilful or criminal conduct; [and]
- (3) [A] When a violation results in serious health[~~, safety, or environmental impact.~~] and safety impacts;
- (4) To violations of chapters 6E, 180, 180C, 181, 182, 183, 183C, 183D, 186, 187A, 188, 188F, 189, 190, 190D, 195, 195D, 195F, 205, 205A, 340A, 340E, 341, 342B, 342C, 342D, 342E, 342F, 342G, 342H, 342I, 342J, 342L, and 342P;
- (5) To violations of sections 200-9(b) and (c), 200-24(4), 200-37, and 200-38; or
- (6) To violations of administrative rules promulgated pursuant to section 200-4(6); except for rules pertaining to matters listed in section 200-4(6)(A), (B), (C), and (D).”

SECTION 2. Statutory material to be repealed is bracketed and stricken.  
New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved July 12, 2004.)