

ACT 216

S.B. NO. 1891

A Bill for an Act Relating to Public Lands.

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

SECTION 1. Chapter 171, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§171- Criminal penalties. (a) Any person found guilty of a violation of this chapter or any rules adopted thereunder shall be guilty of a petty misdemeanor and shall be punished as follows:

- (1) For a first offense, by a mandatory fine of not less than \$500, or imprisonment of not more than thirty days, or both;

- (2) For a second offense within five years of a previous conviction under this section, by a mandatory fine of not less than \$1,000, or imprisonment of not more than thirty days, or both; and
 - (3) For a third or subsequent offense within five years of two prior convictions under this section, by a mandatory fine of not less than \$2,000, or imprisonment of not more than thirty days, or both.
- (b) Any criminal action against a person for any violation under this section shall not be deemed to preclude the State from pursuing civil legal action to recover administrative fines and costs against the person. Any civil legal action against a person to recover administrative fines and costs for any violation of this chapter or any rules adopted thereunder shall not be deemed to preclude the State from pursuing any criminal action against that person pursuant to this section.”

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

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon approval.

(Approved July 7, 2008.)

Note

1. Edited pursuant to HRS §23G-16.5.