

JAN 20 2012

A BILL FOR AN ACT

RELATING TO HUNTING.

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

1 SECTION 1. The legislature finds that existing laws are
2 inadequate to deter persons engaged in hunting with firearms
3 from trespassing on lands and potentially causing bodily injury
4 to others or damage to property, livestock, and farmers' crops.
5 This occurrence has been especially egregious on farms and
6 ranches.

7 The purpose of this Act is to require those who wish to
8 access private land for hunting or other legitimate purposes to
9 obtain written permission from the landowner.

10 SECTION 2. Section 134-1, Hawaii Revised Statutes, is
11 amended by adding a new definition to be appropriately inserted
12 and to read as follows:

13 "Place of formal hunting" means:

14 (1) An area on state or federal land where hunting is
15 allowed; or

16 (2) An area on private lands for which the owner has given
17 written permission to allow hunting by a person that



1 has procured a hunting license under chapter 183D,
2 part II."

3 SECTION 3. Section 134-5, Hawaii Revised Statutes, is
4 amended as follows:

5 1. By amending subsection (a) to read:

6 "(a) Any person of the age of sixteen years, or over or
7 any person under the age of sixteen years while accompanied by
8 an adult, may carry and use any lawfully acquired rifle or
9 shotgun and suitable ammunition while actually engaged in
10 hunting or target shooting or while going to and from the place
11 of hunting or target shooting; provided that the person has
12 procured a hunting license under chapter 183D, part II[-] and
13 has obtained written permission from the landowner of the
14 privately owned land to hunt on that land. A hunting license
15 shall not be required for persons engaged in target shooting."

16 2. By amending subsection (c) to read:

17 "(c) A person may carry unconcealed and use a lawfully
18 acquired pistol or revolver while actually engaged in hunting
19 game mammals, if that pistol or revolver and its suitable
20 ammunition are acceptable for hunting by rules adopted pursuant
21 to section 183D-3 and if that person is licensed pursuant to
22 part II of chapter 183D[-] and has obtained the written



1 permission from the landowner of the privately owned land to
2 hunt on that land. The pistol or revolver may be transported in
3 an enclosed container, as defined in section 134-25 in the
4 course of going to and from the place of the hunt,
5 notwithstanding section 134-26."

6 SECTION 4. Section 134-23, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) Except as provided in section 134-5, all firearms
9 shall be confined to the possessor's place of business,
10 residence, or sojourn; provided that it shall be lawful to carry
11 unloaded firearms in an enclosed container from the place of
12 purchase to the purchaser's place of business, residence, or
13 sojourn, or between these places upon change of place of
14 business, residence, or sojourn, or between these places and the
15 following:

- 16 (1) A place of repair;
17 (2) A target range;
18 (3) A licensed dealer's place of business;
19 (4) An organized, scheduled firearms show or exhibit;
20 (5) A place of formal [~~hunter~~] hunting or firearm use
21 training or instruction; or
22 (6) A police station.



1 "Enclosed container" means a rigidly constructed
2 receptacle, or a commercially manufactured gun case, or the
3 equivalent thereof that completely encloses the firearm."

4 SECTION 5. Section 134-24, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Except as provided in section 134-5, all firearms
7 shall be confined to the possessor's place of business,
8 residence, or sojourn; provided that it shall be lawful to carry
9 unloaded firearms in an enclosed container from the place of
10 purchase to the purchaser's place of business, residence, or
11 sojourn, or between these places upon change of place of
12 business, residence, or sojourn, or between these places and the
13 following:

- 14 (1) A place of repair;
- 15 (2) A target range;
- 16 (3) A licensed dealer's place of business;
- 17 (4) An organized, scheduled firearms show or exhibit;
- 18 (5) A place of formal [~~hunter~~] hunting or firearm use
19 training or instruction; or
- 20 (6) A police station.



1 "Enclosed container" means a rigidly constructed
2 receptacle, or a commercially manufactured gun case, or the
3 equivalent thereof that completely encloses the firearm."

4 SECTION 6. Section 134-25, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Except as provided in sections 134-5 and 134-9, all
7 firearms shall be confined to the possessor's place of business,
8 residence, or sojourn; provided that it shall be lawful to carry
9 unloaded firearms in an enclosed container from the place of
10 purchase to the purchaser's place of business, residence, or
11 sojourn, or between these places upon change of place of
12 business, residence, or sojourn, or between these places and the
13 following:

- 14 (1) A place of repair;
- 15 (2) A target range;
- 16 (3) A licensed dealer's place of business;
- 17 (4) An organized, scheduled firearms show or exhibit;
- 18 (5) A place of formal [~~hunter~~] hunting or firearm use
19 training or instruction; or
- 20 (6) A police station.



1 "Enclosed container" means a rigidly constructed
2 receptacle, or a commercially manufactured gun case, or the
3 equivalent thereof that completely encloses the firearm."

4 SECTION 7. Section 134-27, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) Except as provided in sections 134-5 and 134-9, all
7 ammunition shall be confined to the possessor's place of
8 business, residence, or sojourn; provided that it shall be
9 lawful to carry ammunition in an enclosed container from the
10 place of purchase to the purchaser's place of business,
11 residence, or sojourn, or between these places upon change of
12 place of business, residence, or sojourn, or between these
13 places and the following:

- 14 (1) A place of repair;
15 (2) A target range;
16 (3) A licensed dealer's place of business;
17 (4) An organized, scheduled firearms show or exhibit;
18 (5) A place of formal [~~hunter~~] hunting or firearm use
19 training or instruction; or
20 (6) A police station.



1 "Enclosed container" means a rigidly constructed
2 receptacle, or a commercially manufactured gun case, or the
3 equivalent thereof that completely encloses the ammunition."

4 SECTION 8. Section 183D-26, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) No person shall enter upon any land or premises
7 belonging to, held, or occupied by another, for the purpose of
8 hunting or to take any kind of wildlife including game without
9 first having obtained written permission from the owner or a
10 duly appointed agent, if the owner is the occupier or holder, or
11 if the owner has let another occupy or hold the same, without
12 having first obtained the permission of the occupier or holder
13 thereof, or the duly appointed agent of the occupier or holder."

14 SECTION 9. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 10. This Act shall take effect upon its approval.

17

INTRODUCED BY:

Mike Galt
Matt
Green

Tommy

John



S.B. NO. 2377

Report Title:

Hunting; Privately Owned Lands; Permission

Description:

Requires written permission from a landowner of privately owned land to allow persons with valid hunting licenses to hunt on their land. Allows the carrying of unloaded firearms and ammunition, in a closed container, between certain locations and a place of formal hunting.

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

