

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO COMMERCIAL ACTIVITY.

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

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

4           "§171- Commercial use permits enabling violation of  
5 county ordinance; prohibited. The department shall not issue a  
6 permit for commercial activity if the commercial activity occurs  
7 on land or waters contiguous between state and county  
8 jurisdictions and the department has reasonable belief that use  
9 of such permit will violate a county ordinance."

10          SECTION 2. Chapter 183, Hawaii Revised Statutes, is  
11 amended by adding a new section to be appropriately designated  
12 and to read as follows:

13          "§183- Commercial use permits enabling violation of  
14 county ordinance; prohibited. The department shall not issue a  
15 permit for commercial activity if the commercial activity occurs  
16 in forests or forest reserves and lands that are contiguous  
17 between state and county jurisdictions and the department has



1 reasonable belief that use of such permit will violate a county  
2 ordinance."

3 SECTION 3. Chapter 184, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§184- Commercial use permits enabling violation of  
7 county ordinance; prohibited. The department shall not issue a  
8 permit for commercial activity if the commercial activity occurs  
9 on state parks or land contiguous between state and county  
10 jurisdictions and the department has reasonable belief that use  
11 of such permit will violate a county ordinance."

12 SECTION 4. Chapter 200, Hawaii Revised Statutes, is  
13 amended by adding a new section to be appropriately designated  
14 and to read as follows:

15 "§200- Commercial use permits enabling violation of  
16 county ordinance; prohibited. The department shall not issue a  
17 permit for commercial activity if the commercial activity occurs  
18 in small boat harbors, lands, or waters contiguous between state  
19 and county jurisdictions and the department has reasonable  
20 belief that use of such permit will violate a county ordinance."

21 SECTION 5. New statutory material is underscored.



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1 SECTION 6. This Act shall take effect upon its approval.

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INTRODUCED BY:

*[Handwritten signatures: Adam T. ...]*  
*[Handwritten signature: Mike Hubbard]*  
*[Handwritten signature: Anna Mercedes K.]*



# S.B. NO. 1283

**Report Title:**

Department of Land and Natural Resources; Commercial Activity;  
Commercial Use Permit; County Ordinance

**Description:**

Prohibits DLNR from issuing a commercial use permit on lands or waters contiguous between state and county jurisdictions when DLNR has reasonable belief that use of the permit will violate a county ordinance.

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

