

HOUSE OF REPRESENTATIVES
TWENTY-SIXTH LEGISLATURE, 2011
STATE OF HAWAII

H.B. NO. 548
H.D. 3
S.D. 1

A BILL FOR AN ACT

RELATING TO TRESPASS.

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

SECTION 1. The legislature finds that visitor guide websites and visitor guide publications may inadvertently invite visitors to trespass on remote private property to experience an attraction or activity. The representations made by these websites and guide publications put visitors at potential risk by describing attractions or activities without adequately explaining the inherent dangers associated with them, that may result in serious injury or death to the visitor.

The legislature further finds that a private landowner may own or manage large tracts of land in natural areas that hikers and nature enthusiasts tend to seek out. If the landowner does not have the personnel necessary to secure the area, even posted "No Trespassing" signs may be unheeded.

The purpose of this Act is to establish a task force to identify problem areas on the various islands and recommend remedies to reduce the incidence of trespass over privately held or public lands.

SECTION 2. (a) There is established a task force, to be attached to the department of business, economic development, and tourism for administrative purposes, to identify problem areas on the various islands related to trespass over privately held or public lands as the result of information published on visitor guide websites and in visitor guide publications.

(b) The task force members shall be appointed by the president of the senate and the speaker of the house of representatives and shall include representatives from the:

- (1) Hawaii tourism authority;
- (2) Department of the attorney general;
- (3) Department of agriculture;
- (4) Department of land and natural resources;
- (5) Senate;
- (6) House of representatives;
- (7) County police or fire departments with responsibilities for rescues and public safety;
- (8) County visitor bureaus;
- (9) Hawaii Farm Bureau Federation or county farm bureaus;
- (10) Hawaii Cattlemen's Association;
- (11) Private landowners;
- (12) Visitor guide websites and visitor guide publications; and
- (13) Hawaii's publishing industry.

(c) The task force shall meet in large and small groups, as appropriate, to develop findings and recommendations to reduce the incidence of trespass over privately held or public lands to access remote or scenic destinations as the result of information published on visitor guide websites and in visitor guide publications.

(d) The legislative reference bureau may provide assistance to the task force in the compilation and publication of the findings and recommendations of the task force, but shall not provide administrative support to the task force.

(e) The task force shall submit its report to the legislature no later than twenty days prior to the convening of the regular session of 2012.

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

Report Title:

Trespass; Websites; Task Force

Description:

Establishes a task force, attached to the department of business, economic development, and tourism for administrative purposes, to identify problem areas on the various islands related to trespass over privately held or public lands as the result of information published on visitor guide websites and in visitor guide publications; requires report to the 2012 legislature. (SD1)

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