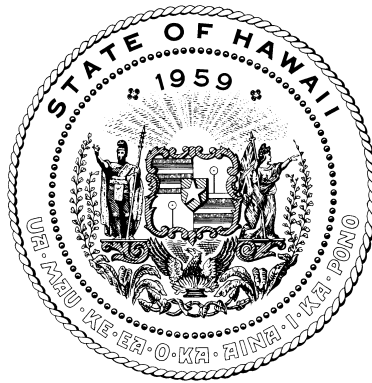


**REPORT TO THE THIRTY-THIRD LEGISLATURE  
STATE OF HAWAII  
2026 REGULAR SESSION**

**REVENUES GENERATED FROM GENERAL ADMINISTRATIVE PENALTIES  
IMPOSED UNDER CHAPTER 183, HAWAII REVISED STATUTES**



Prepared by

THE STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF FORESTRY AND WILDLIFE

In response to Section 183-5(g), Hawaii Revised Statutes

Honolulu, Hawaii  
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## REVENUES GENERATED FROM GENERAL ADMINISTRATIVE PENALTIES IMPOSED UNDER CHAPTER 183, HAWAII REVISED STATUTES

### PURPOSE

This report complies with Section 183-5, Hawaii Revised Statutes (HRS), and addresses specific topics related to the protection of the State Forest Reserve System (FRS). Act 174, Session Laws of Hawaii (SLH) 2006, partially amended Chapter 183, HRS, by adding a new section titled, “General Administrative Penalties.” This section authorizes the Board of Land and Natural Resources (Board) or its authorized representative to impose administrative penalties, such as fines, fees, and other costs, for violations of Chapter 183, HRS, and its related rules. The Department of Land and Natural Resources (Department) is also required to submit an annual report to the Hawaii State Legislature detailing revenues generated from these administrative penalties. This annual report covers the period from July 1, 2024, to June 30, 2025.

### BACKGROUND

The administrative penalties for violations of Chapter 183, HRS, took effect in June 2006 through Act 174, SLH 2006. This Act authorizes the Board or its authorized representative to impose administrative penalties, including fines, fees, and other costs, for violations of Chapter 183, HRS, and related rules. The Department requested this statutory change in response to a noticeable increase in both the occurrence and severity of violations, especially the theft or unpermitted harvest of valuable koa timber resources from FRS. The Department appreciates the attention that this report and related laws have brought to this important issue.

Before Act 174, SLH 2006, the language in Chapter 183, HRS, created a situation where certain penalties for violations—especially large-scale theft of timber or other resources on FRS lands—did not effectively deter illegal harvesting because the value of the resources taken often far exceeded the penalties that the State could impose on a violator. With the passage of Act 174, SLH 2006, a framework for effective enforcement of penalties and prompt prosecution of violations of Chapter 183, HRS, and related rules was put in place.

Act 174, SLH 2006, has helped to protect public resources by, among other things:

- 1) Allowing the Board to establish and collect administrative penalties, including initiating legal action to recover fines, fees, and other costs resulting from violations of Chapter 183, HRS, and related rules.
- 2) Increasing the criminal fine amount for timber trespass, including the removal of any timber within the FRS; and
- 3) Establishing specific administrative penalty levels for repeat offenders or violations of different severity.

The Department notes that since the Act took effect, the value of forest products, including koa and sandalwood, has increased significantly. Penalties and fines under Chapter 183, HRS, were amended by Act 193, SLH 2021, to be up to three times the market value at the time and place of the violation for each tree or plant, as well as the cost of habitat restoration or replacement. This creates a stronger deterrent against unauthorized and illegal use of public resources.

Additionally, there have been several reports of theft or attempted thefts in recent years across both public and private forest lands involving these valuable resources.

Act 193, SLH 2021, also establishes penalties for anyone who violates vehicular parking, traffic movement rules, or zoning laws. It authorizes the State to pursue civil and criminal action against persons who violate forest reserve, water development, and zoning regulations. It also sets criminal penalties for violations of all forest reserve laws or regulations.

#### REVENUES GENERATED

The Board did not issue any administrative fines or fees in fiscal year 2025. The Department is still pursuing an administrative fine issued in fiscal year 2019, which has not been received to date.

#### RECOMMENDATION

This law is crucial for protecting public resources within the FRS. The revised fines for destroying or harvesting trees and plants on lands within the forest reserves create a stronger deterrent against unauthorized and illegal use of public resources.