
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. Chapter 205, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§205- Agricultural land protection. (a)

5 Notwithstanding any other law to the contrary, all land
6 classified as agricultural under section 205-2 shall not be
7 reclassified, rezoned, or amended; provided that the following
8 criteria apply to the land:

9 (1) The primary use of the land is agricultural;

10 (2) The occupation of the owner or lessor of the land is a
11 farmer on that land; and

12 (3) The agriculturally related annual gross income
13 produced from the land is at least \$1,000,000.

14 For the purposes of this section, the term "farmer" means a
15 person of proven farming ability, as determined by the
16 department of agriculture pursuant to rule, who operates a farm
17 on land owned or leased by the person and devotes at least



1 ninety per cent of the person's time farming land subject to
2 this section.

3 (b) The department of agriculture shall administer this
4 section. The department of agriculture and the land use
5 commission may adopt rules pursuant to chapter 91 to effectuate
6 this section."

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

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Agriculture; Land Protection

Description:

Protects agricultural classified land from rezoning if the land produces at least \$1,000,000 in gross income annually.

