
A BILL FOR AN ACT

RELATING TO LAND USE.

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- Reclassification of land contiguous to an
5 agricultural district; approval conditions. (a) Any decision
6 approving a petition for a boundary amendment pursuant to this
7 chapter where lands in the petition area are contiguous or
8 adjacent to lands in the agricultural district, shall include
9 the following conditions in the decision granting approval:

10 (1) A prohibition on any action that would interfere with
11 or restrain farming operations; provided the farming
12 operations are conducted in a manner consistent with
13 generally accepted agricultural and management
14 practices on adjacent or contiguous lands in the
15 agricultural district; and

16 (2) Notification to all prospective developers or
17 purchasers of land or interest in land in the petition
18 area and subsequent notification to lessees or tenants



1 of the land, that farming operations and practices on
2 adjacent or contiguous land in the agricultural
3 district are protected under chapter 165, the Hawaii
4 right to farm act, and that the notice shall be
5 included in any disclosure required for the sale or
6 transfer of real property or any interest in real
7 property.

8 (b) For purposes of this section, "farming operation"
9 shall have the same meaning as provided in section 165-2."

10 SECTION 2. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun, before its effective date.

13 SECTION 3. New statutory material is underscored.

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



H.B. NO. 2450
H.D. 1
S.D. 2
C.D. 1

Report Title:

Boundary Amendments; Agricultural Lands; Right to Farm

Description:

Establishes conditions for the granting of approval of petitions for boundary amendments where lands in the petition area are contiguous or adjacent to lands in the agricultural districts.
(HB2450 CD1)

