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# A BILL FOR AN ACT

RELATING TO IMPORTANT AGRICULTURAL LANDS.

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

1           SECTION 1. In 2005, the legislature enacted Act 183,  
2 Session Laws of Hawaii 2005, implementing article XI, section 3,  
3 of the state constitution regarding important agricultural  
4 lands. Act 183 establishes policies and procedures for the  
5 identification of important agricultural lands and provides for  
6 a process to develop protection and incentive measures for  
7 important agricultural lands and agricultural viability.

8           The purpose of this Act is to establish a five-year  
9 moratorium on the development of agricultural lands located in  
10 the State for which general planning has not commenced.

11           SECTION 2. (a) Notwithstanding any law to the contrary,  
12 there is established a five-year moratorium on any building or  
13 development project on agricultural lands located in the State;  
14 provided that:

15           (1) The moratorium on building or development projects on  
16           agricultural lands shall be limited to any building or



1 development project for which general planning has not  
2 commenced;

3 (2) The building or development project is intended to  
4 effect parcels of agricultural land with an overall  
5 (master) productivity rating of class A or B, and  
6 designated as an agricultural district;

7 (3) The building or development project is intended to  
8 effect parcels of agricultural land located in the  
9 State, and designated as an agricultural district; and

10 (4) The building or development project is not a  
11 permissible use within an agricultural district under  
12 section 205-4.5, Hawaii Revised Statutes.

13 (b) The moratorium shall be lifted on June 30, 2013.

14 (c) For purposes of this section, "general planning" means  
15 projects for which planning, design, or construction has already  
16 commenced.

17 SECTION 3. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun, before its effective date.



1 SECTION 4. This Act shall take effect upon its approval  
2 and shall be repealed on June 30, 2013.

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INTRODUCED BY: \_\_\_\_\_

*Jim*  
*Alan Gish*  
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**Report Title:**

Important Agricultural Lands; Development Projects; Moratorium

**Description:**

Establishes a five-year moratorium on the development of agricultural lands located in the State for which general planning has not commenced. Creates a sunset date of 6/30/2013.

