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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 PART I

2 SECTION 1. Section 205-46.5, Hawaii Revised Statutes, is  
3 amended to read as follows:

4 " ~~[+]§205-46.5[+]~~ Agricultural processing facilities;  
5 permits; priority. (a) Any agency subject to this chapter or  
6 title 13 that issues permits shall establish and implement a  
7 procedure for the priority processing of permit applications and  
8 renewals, at no additional cost to the applicant, for  
9 agricultural processing facilities that process crops or  
10 livestock from an agribusiness; provided that ~~[the]~~:

11 (1) The majority of the lands held, owned, or used by the  
12 agribusiness shall be land designated as important  
13 agricultural lands pursuant to this part, excluding  
14 lands held, owned, or used by the agribusiness in a  
15 conservation district~~[-]~~; or

16 (2) All of the crops or livestock processed at the  
17 facility is produced on land designated as important  
18 agricultural land pursuant to this part; provided that



1       this requirement shall apply for at least twenty years  
 2       following the issuance of a certificate of occupancy  
 3       for the facility.

4       Any priority permit processing procedure established  
 5 pursuant to this section shall not provide or imply that any  
 6 permit application filed under the priority processing procedure  
 7 shall be automatically approved.

8       (b) As used in this section, "agribusiness" means a  
 9 business primarily engaged in the care and production, or  
 10 processing, of livestock, livestock products, poultry, poultry  
 11 products, apiary, horticultural or floricultural products, the  
 12 planting, cultivating, and harvesting of crops or trees, or the  
 13 farming or ranching of any plant or animal species in a  
 14 controlled salt, brackish, or fresh water environment."

PART II

16       SECTION 3. Chapter 269, Hawaii Revised Statutes, is  
 17 amended by adding a new section to be appropriately designated  
 18 and to read as follows:

19       "§269-    Preferential energy rates; important agricultural  
 20 lands. (a) The public utilities commission shall establish, by  
 21 rule or decision and order, preferential rates for the purchase  
 22 of energy that is used or consumed for agricultural activities



1 on important agricultural lands, as designated pursuant to  
2 sections 205-44 and 205-45.

3 (b) Upon receipt of a bona fide request for the purchase  
4 of energy that is used or consumed for agricultural activities  
5 on important agricultural lands, and proof that the energy will  
6 be used or consumed in conjunction with agricultural activities  
7 on important agricultural lands, a public utility shall present  
8 the request for preferential rates to the public utilities  
9 commission for approval."

10 PART III

11 SECTION 5. Statutory material to be repealed is bracketed  
12 and stricken. New statutory material is underscored.

13 SECTION 6. This Act shall take effect upon its approval.

**Report Title:**

Important Agricultural Lands; Incentives

**Description:**

Establishes incentives for important agricultural lands.  
(SB1559 HD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

