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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:**

**PART I**

**EXPEDITING PERMITS FOR IMPORTANT AGRICULTURAL LANDS**

SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§46- County building permits; important agricultural lands. (a) Each county agency that issues building, construction, or development related permits shall establish a procedure for the priority processing of a permit application submitted by a private entity for a construction project that uses products grown on lands designated as important agricultural lands. The permit processing procedures shall give priority to private sector permit applicants at no additional cost to the applicant and shall provide that if the county does not approve, conditionally approve, or disapprove a completed application within ninety days of the applicant's submission to the county of the application, the application shall be deemed approved. Each county shall develop rules for notifying



1 farmers, ranchers, and landowners of important agricultural  
2 lands that specify informational needs and timeframes for permit  
3 processing.

4 (b) Each county shall develop rules for exempting from  
5 permit conditions structures strictly used for storage and that:

6 (1) Are not attached to any other structure; and

7 (2) Do not have plumbing, heating, or electrical systems.

8 (c) For purposes of this section:

9 "Important agricultural lands" are lands so designated  
10 pursuant to sections 205-44 and 205-45."

11 **PART II**

12 **INCORPORATION INTO GENERAL PLANS**

13 SECTION 2. Section 226-58, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "**§226-58 County general plans.** (a) The county general  
16 plans and development plans shall be formulated with input from  
17 the state and county agencies as well as the general public.

18 County general plans or development plans shall indicate  
19 desired population and physical development patterns for each  
20 county and regions within each county. In addition, county  
21 general plans or development plans shall address the unique  
22 problems and needs of each county and regions within each



1 county. The county general plans or development plans shall  
2 further define applicable provisions of this chapter; provided  
3 that any amendment to the county general plan of each county  
4 shall not be contrary to the county charter. The formulation,  
5 amendment, and implementation of county general plans or  
6 development plans shall take into consideration statewide  
7 objectives, policies, and programs stipulated in state  
8 functional plans approved in consonance with this chapter.

9 (b) County general plans shall be formulated on the basis  
10 of sound rationale, data, analyses, and input from state and  
11 county agencies and the general public, and contain objectives  
12 and policies as required by the charter of each county.

13 Further, the county general plans should:

14 (1) Contain objectives to be achieved and policies to be  
15 pursued with respect to population density, land use,  
16 transportation system location, public and community  
17 facility locations, water and sewage system locations,  
18 visitor destinations, urban design, and all other  
19 matters necessary for the coordinated development of  
20 the county and regions within the county; and

21 (2) Contain implementation priorities and actions to carry  
22 out policies to include but not be limited to land use



1 maps, programs, projects, regulatory measures,  
2 standards and principles, and interagency coordination  
3 provisions.

4 (c) County general plans shall include accommodation for  
5 the designation of important agricultural lands as follows:

6 (1) County identification of important agricultural lands  
7 shall follow the standards and criteria identified in  
8 section 205-44(c) and consider the following:

9 (A) Lands meeting any of the criteria in section  
10 205-44(c) shall be given initial consideration;  
11 provided that the designation of important  
12 agricultural lands shall take into account the  
13 standards and criteria of article XI, section 3,  
14 of the Hawaii State Constitution and the  
15 objectives and policies for important  
16 agricultural lands in sections 205-42 and 205-43;

17 (B) Lands for grazing or providing feed for livestock  
18 are recognized as part of an agricultural  
19 production system; and

20 (C) Lands that may sustain or have a viable  
21 agricultural operation in place shall be given  
22 priority consideration regardless of the overall



1                    (master) productivity rating class of the soil as  
2                    classified by the land study bureau; and

3        (2) Identification of incentives and implementation plans  
4                    to ensure the viability of operations on important  
5                    agricultural lands shall be included within the county  
6                    general plan.

7        (d) For purposes of this section, "important agricultural  
8                    lands" means lands designated pursuant to sections 205-44 and  
9                    205-45."

10    **PART III**

11    **ENERGY**

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

15                    "~~§269-~~        **Preferential energy rates; important agricultural**  
16 **lands.** (a) The public utilities commission shall establish, by  
17 rule or decision and order, preferential rates for the purchase  
18 of energy that is used or consumed for agricultural activities  
19 on important agricultural lands, as designated pursuant to  
20 sections 205-44 and 205-45.

21                    (b) Upon receipt of a bona fide request for the purchase  
22 of energy that is used or consumed for agricultural activities



1 on important agricultural lands, and proof that the energy will  
2 be used or consumed in conjunction with agricultural activities  
3 on important agricultural lands, a public utility shall present  
4 the request for preferential rates to the public utilities  
5 commission for approval."

6 **PART IV**

7 **INSURANCE**

8 SECTION 4. Chapter 431, Hawaii Revised Statutes, is  
9 amended by adding a new section to article 10E to be  
10 appropriately designated and to read as follows:

11 "§431:10E- Preferred insurance rates; important  
12 agricultural lands. Insurers may provide preferential insurance  
13 rates to owners or lessees of important agricultural lands, as  
14 designated pursuant to sections 205-44 and 205-45."

15 **PART V**

16 **MISCELLANEOUS PROVISIONS**

17 SECTION 5. New statutory material is underscored.

18 SECTION 6. This Act shall take effect on July 1, 2050.



**Report Title:**

Important Agricultural Lands; Incentives; Counties;  
Appropriations

**Description:**

Establishes incentives for important agricultural lands,  
including expedited permitting procedures. Effective 7/1/2050.  
(SD2)

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

