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## A BILL FOR AN ACT

RELATING TO AGRICULTURAL BUILDINGS.

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

1           SECTION 1. Chapter 421J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§421J-       Agricultural buildings. (a) Notwithstanding  
5 any law to the contrary, no person shall be prevented by any  
6 covenant, declaration, bylaws, restriction, deed, lease, term,  
7 provision, condition, codicil, contract, or similar binding  
8 agreement, however worded, from constructing any agricultural  
9 building on land classified as agricultural pursuant to section  
10 205-2. Any provision in any lease, instrument, or contract  
11 contrary to the intent of this section shall be void and  
12 unenforceable with respect to agricultural buildings.

13           (b) Every planned community association may adopt rules  
14 that reasonably restrict the construction and use of  
15 agricultural buildings and structures; provided that those  
16 restrictions do not have the effect of prohibiting agricultural  
17 buildings altogether. No planned community association shall



1 assess or charge any homeowner any fees for the construction or  
2 use of an agricultural building.

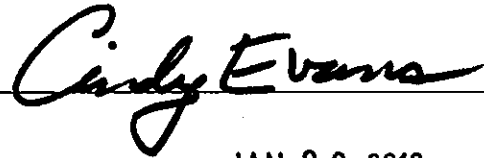
3 For the purposes of this section, "agricultural building"  
4 shall have the same meaning as in section 46-88."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

7

INTRODUCED BY:



JAN 22 2016



# H.B. NO. 1985

**Report Title:**

Planned Community Association; Agricultural Buildings

**Description:**

voids any planned community association restriction on the construction of agricultural buildings on agricultural classified land.

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

