

---

---

# A BILL FOR AN ACT

RELATING TO LAND USE.

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

- 1           SECTION 1. The purpose of this Act is to:
- 2           (1) Allow agricultural tourism uses and activities,
- 3                 including overnight accommodations for stays of fewer
- 4                 than thirty consecutive days, conducted in conjunction
- 5                 with a bona fide farming operation, in a state
- 6                 agricultural district; and
- 7           (2) Ensure that bona fide farming operations that meet
- 8                 statutory criteria would not be required to obtain a
- 9                 special permit pursuant to section 205-6, Hawaii
- 10                Revised Statutes, for accessory agricultural tourism
- 11                uses and activities.

12           Pursuant to this Act, depending on the particular county

13 ordinance, an applicant can apply for a ministerial permit for

14 an agricultural tourism use if the applicant demonstrates that

15 agricultural income from the applicant's farming operation, as

16 defined in section 165-2, Hawaii Revised Statutes, meets or

17 exceeds the minimum income criteria. Applicants not meeting the



1 bona fide farming operation criteria will not be able to conduct  
 2 agricultural tourism activities, including overnight  
 3 accommodations, without obtaining a special permit pursuant to  
 4 section 205-6, Hawaii Revised Statutes. The counties will be  
 5 able to further regulate agricultural tourism activities,  
 6 including overnight accommodations, through county codes.

7 SECTION 2. Section 141-9, Hawaii Revised Statutes, is  
 8 amended by amending subsection (a) to read as follows:

9 "(a) There is established within the department of  
 10 agriculture an energy feedstock program that shall:

- 11 (1) Maintain cognizance of actions taken by industry and  
 12 by federal, state, county, and private agencies in  
 13 activities relating to the production of energy  
 14 feedstock, and promote and support worthwhile energy  
 15 feedstock production activities in the State;
- 16 (2) Serve as an information clearinghouse for energy  
 17 feedstock production activities;
- 18 (3) Coordinate development projects to investigate and  
 19 solve biological and technical problems involved in  
 20 raising selected species with commercial energy  
 21 generating potential;



- 1 (4) Actively seek federal funding for energy feedstock  
2 production activities;
- 3 (5) Undertake activities required to develop and expand  
4 the energy feedstock production industry; and
- 5 (6) Perform other functions and activities as may be  
6 assigned by law, including monitoring the compliance  
7 provisions under section [~~205-4.5(a)(16).~~] 205-  
8 4.5(a)(15)."

9 SECTION 3. Section 165-2, Hawaii Revised Statutes, is  
10 amended by amending the definition of "farming operation" to  
11 read as follows:

12 "Farming operation" means a commercial agricultural,  
13 silvicultural, or aquacultural facility or pursuit conducted, in  
14 whole or in part, including the care and production of livestock  
15 and livestock products, poultry and poultry products, apiary  
16 products, and plant and animal production for nonfood uses; the  
17 planting, cultivating, harvesting, and processing of crops; and  
18 the farming or ranching of any plant or animal species in a  
19 controlled salt, brackish, or freshwater environment.

20 "Farming operation" includes but shall not be limited to:



- 1 (1) Agricultural-based commercial operations as described  
2 in section [~~205-2(d)(15)]~~; 205-2(d)(14);
- 3 (2) Noises, odors, dust, and fumes emanating from a  
4 commercial agricultural or an aquacultural facility or  
5 pursuit;
- 6 (3) Operation of machinery and irrigation pumps;
- 7 (4) Ground and aerial seeding and spraying;
- 8 (5) The application of chemical fertilizers, conditioners,  
9 insecticides, pesticides, and herbicides; and
- 10 (6) The employment and use of labor.

11 A farming operation that conducts processing operations or salt,  
12 brackish, or freshwater aquaculture operations on land that is  
13 zoned for industrial, commercial, or other nonagricultural use  
14 shall not, by reason of that zoning, fall beyond the scope of  
15 this definition; provided that those processing operations form  
16 an integral part of operations that otherwise meet the  
17 requirements of this definition."

18 SECTION 4. Section 205-2, Hawaii Revised Statutes, is  
19 amended by amending subsection (d) to read as follows:

20 "(d) Agricultural districts shall include:



- 1 (1) Activities or uses as characterized by the cultivation  
2 of crops, crops for bioenergy, orchards, forage, and  
3 forestry;
- 4 (2) Farming activities or uses related to animal husbandry  
5 and game and fish propagation;
- 6 (3) Aquaculture, which means the production of aquatic  
7 plant and animal life within ponds and other bodies of  
8 water;
- 9 (4) Wind generated energy production for public, private,  
10 and commercial use;
- 11 (5) Biofuel production, as described in section [205  
12 ~~4.5(a)(16)~~] 205-4.5(a)(15), for public, private, and  
13 commercial use;
- 14 (6) Solar energy facilities; provided that:
- 15 (A) This paragraph shall apply only to land with soil  
16 classified by the land study bureau's detailed  
17 land classification as overall (master)  
18 productivity rating class B, C, D, or E; and
- 19 (B) Solar energy facilities placed within land with  
20 soil classified as overall productivity rating  
21 class B or C shall not occupy more than ten per



1 cent of the acreage of the parcel, or twenty  
2 acres of land, whichever is lesser, unless a  
3 special use permit is granted pursuant to section  
4 205-6;

5 (7) Bona fide agricultural services and uses that support  
6 the agricultural activities of the fee or leasehold  
7 owner of the property and accessory to any of the  
8 above activities, regardless of whether conducted on  
9 the same premises as the agricultural activities to  
10 which they are accessory, including farm dwellings as  
11 defined in section 205-4.5(a)(4), employee housing,  
12 farm buildings, mills, storage facilities, processing  
13 facilities, photovoltaic, biogas, and other small-  
14 scale renewable energy systems producing energy solely  
15 for use in the agricultural activities of the fee or  
16 leasehold owner of the property, agricultural-energy  
17 facilities as defined in section [~~205-4.5(a)(17)~~],  
18 205-4.5(a)(16), hydroelectric facilities in accordance  
19 with section [~~205-4.5(a)(23)~~], 205-4.5(a)(22), vehicle  
20 and equipment storage areas, and plantation community  
21 subdivisions as defined in section 205-4.5(a)(12);



- 1 (8) Wind machines and wind farms;
- 2 (9) Small-scale meteorological, air quality, noise, and  
3 other scientific and environmental data collection and  
4 monitoring facilities occupying less than one-half  
5 acre of land; provided that these facilities shall not  
6 be used as or equipped for use as living quarters or  
7 dwellings;
- 8 (10) Agricultural parks;
- 9 (11) Agricultural tourism uses or activities, including  
10 overnight accommodations for stays of fewer than  
11 thirty consecutive days, conducted [~~on a working farm,~~  
12 ~~or a]~~ in conjunction with a bona fide farming  
13 operation [~~as defined in section 165-2, for the~~  
14 ~~enjoyment, education, or involvement of visitors]~~;  
15 provided that the agricultural tourism use or activity  
16 is accessory and secondary to the principal  
17 agricultural use and does not interfere with  
18 surrounding bona fide farm operations; and provided  
19 further that [~~this paragraph shall apply only to a~~  
20 ~~county that has adopted ordinances regulating~~  
21 ~~agricultural tourism under section 205-5;~~



1       ~~(12) Agricultural tourism activities, including overnight~~  
2       ~~accommodations of twenty one days or less, for any one~~  
3       ~~stay within a county; provided that this paragraph~~  
4       ~~shall apply only to a county that includes at least~~  
5       ~~three islands and has adopted ordinances regulating~~  
6       ~~agricultural tourism activities pursuant to section~~  
7       ~~205-5; provided further that the agricultural tourism~~  
8       ~~activities coexist with a bona fide agricultural~~  
9       ~~activity. For the purposes of this paragraph, "bona~~  
10       ~~fide agricultural activity" means a farming operation~~  
11       ~~as defined in section 165-2;]~~  
12       an agricultural tourism use or activity shall not be  
13       permissible in the absence of bona fide farming  
14       operations and the agricultural tourism use or  
15       activity shall terminate upon cessation of the bona  
16       fide farming operation's agricultural activity. For  
17       the purposes of this paragraph, "bona fide farming  
18       operation" means a farming operation as defined in  
19       section 165-2 that meets the minimum criteria and  
20       standards set forth below and any additional criteria





1 and standards adopted by county ordinance pursuant to  
2 section 205-5(b):

3 (A) The farming operation has been in operation for  
4 not less than two years;

5 (B) The majority of annual gross income shall be from  
6 the sale of agricultural products grown or raised  
7 by the farming operation on the property to be  
8 used for agricultural tourism; provided that  
9 compliance shall be evidenced by federal tax  
10 forms that show profit or loss from farming and  
11 state general excise tax forms, a notarized  
12 affidavit, or such other proof as the county may  
13 require, and

14 (C) The farming operation has annual gross sales of  
15 agricultural products grown or raised on the  
16 subject property for a minimum of two of the  
17 preceding five years of no less than:

18 (i) \$35,000 if the agricultural tourism uses or  
19 activities require permanent enclosed  
20 structures or include overnight  
21 accommodations; or



1                   (ii) \$10,000 if the agricultural tourism uses or  
2                                   activities do not require permanent enclosed  
3                                   structures and do not include overnight  
4                                   accommodations;

5    [~~(13)~~] (12) Open area recreational facilities;

6    [~~(14)~~] (13) Geothermal resources exploration and geothermal  
7                   resources development, as defined under section  
8                   182-1; and

9    [~~(15)~~] (14) Agricultural-based commercial operations,  
10                   including:

11                   (A) A roadside stand that is not an enclosed  
12                                   structure, owned and operated by a producer for  
13                                   the display and sale of agricultural products  
14                                   grown in Hawaii and value-added products that  
15                                   were produced using agricultural products grown  
16                                   in Hawaii;

17                   (B) Retail activities in an enclosed structure owned  
18                                   and operated by a producer for the display and  
19                                   sale of agricultural products grown in Hawaii,  
20                                   value-added products that were produced using  
21                                   agricultural products grown in Hawaii, logo items



1 related to the producer's agricultural  
 2 operations, and other food items; and  
 3 (C) A retail food establishment owned and operated by  
 4 a producer and permitted under title 11, chapter  
 5 12 of the rules of the department of health that  
 6 prepares and serves food at retail using products  
 7 grown in Hawaii and value-added products that  
 8 were produced using agricultural products grown  
 9 in Hawaii.

10 The owner of an agricultural-based commercial  
 11 operation shall certify, upon request of an officer or  
 12 agent charged with enforcement of this chapter under  
 13 section 205-12, that the agricultural products  
 14 displayed or sold by the operation meet the  
 15 requirements of this paragraph.

16 Agricultural districts shall not include golf courses and golf  
 17 driving ranges, except as provided in section 205-4.5(d).

18 Agricultural districts include areas that are not used for, or  
 19 that are not suited to, agricultural and ancillary activities by  
 20 reason of topography, soils, and other related characteristics."



1 SECTION 5. Section 205-4.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Within the agricultural district, all lands with soil  
4 classified by the land study bureau's detailed land  
5 classification as overall (master) productivity rating class A  
6 or B and for solar energy facilities, class B or C, shall be  
7 restricted to the following permitted uses:

- 8 (1) Cultivation of crops, including crops for bioenergy,  
9 flowers, vegetables, foliage, fruits, forage, and  
10 timber;
- 11 (2) Game and fish propagation;
- 12 (3) Raising of livestock, including poultry, bees, fish,  
13 or other animal or aquatic life that are propagated  
14 for economic or personal use;
- 15 (4) Farm dwellings, employee housing, farm buildings, or  
16 activities or uses related to farming and animal  
17 husbandry. "Farm dwelling", as used in this  
18 paragraph, means a single-family dwelling located on  
19 and used in connection with a farm, including clusters  
20 of single-family farm dwellings permitted within  
21 agricultural parks developed by the State, or where



- 1 agricultural activity provides income to the family  
2 occupying the dwelling;
- 3 (5) Public institutions and buildings that are necessary  
4 for agricultural practices;
- 5 (6) Public and private open area types of recreational  
6 uses, including day camps, picnic grounds, parks, and  
7 riding stables, but not including dragstrips,  
8 airports, drive-in theaters, golf courses, golf  
9 driving ranges, country clubs, and overnight camps;
- 10 (7) Public, private, and quasi-public utility lines and  
11 roadways, transformer stations, communications  
12 equipment buildings, solid waste transfer stations,  
13 major water storage tanks, and appurtenant small  
14 buildings such as booster pumping stations, but not  
15 including offices or yards for equipment, material,  
16 vehicle storage, repair or maintenance, treatment  
17 plants, corporation yards, or other similar  
18 structures;
- 19 (8) Retention, restoration, rehabilitation, or improvement  
20 of buildings or sites of historic or scenic interest;



- 1           (9) Agricultural-based commercial operations as described  
2           in section [~~205-2(d)(15)~~] 205-2(d)(14);
- 3           (10) Buildings and uses, including mills, storage, and  
4           processing facilities, maintenance facilities,  
5           photovoltaic, biogas, and other small-scale renewable  
6           energy systems producing energy solely for use in the  
7           agricultural activities of the fee or leasehold owner  
8           of the property, and vehicle and equipment storage  
9           areas that are normally considered directly accessory  
10          to the above-mentioned uses and are permitted under  
11          section 205-2(d);
- 12          (11) Agricultural parks;
- 13          (12) Plantation community subdivisions, which as used in  
14          this chapter means an established subdivision or  
15          cluster of employee housing, community buildings, and  
16          agricultural support buildings on land currently or  
17          formerly owned, leased, or operated by a sugar or  
18          pineapple plantation; provided that the existing  
19          structures may be used or rehabilitated for use, and  
20          new employee housing and agricultural support



1 buildings may be allowed on land within the  
2 subdivision as follows:

3 (A) The employee housing is occupied by employees or  
4 former employees of the plantation who have a  
5 property interest in the land;

6 (B) The employee housing units not owned by their  
7 occupants shall be rented or leased at affordable  
8 rates for agricultural workers; or

9 (C) The agricultural support buildings shall be  
10 rented or leased to agricultural business  
11 operators or agricultural support services;

12 (13) ~~Agricultural tourism [conducted on a working farm, or~~  
13 ~~a farming operation as defined in section 165-2, for~~  
14 ~~the enjoyment, education, or involvement of visitors,~~  
15 ~~provided that the agricultural tourism activity is~~  
16 ~~accessory and secondary to the principal agricultural~~  
17 ~~use and does not interfere with surrounding farm~~  
18 ~~operations; and provided further that this paragraph~~  
19 ~~shall apply only to a county that has adopted~~  
20 ~~ordinances regulating agricultural tourism under~~



1 ~~section 205-5;~~ uses or activities, as provided in  
2 section 205-2(d)(11);

3 [~~14~~] ~~Agricultural tourism activities, including overnight~~  
4 ~~accommodations of twenty one days or less, for any one~~  
5 ~~stay within a county; provided that this paragraph~~  
6 ~~shall apply only to a county that includes at least~~  
7 ~~three islands and has adopted ordinances regulating~~  
8 ~~agricultural tourism activities pursuant to section~~  
9 ~~205-5; provided further that the agricultural tourism~~  
10 ~~activities coexist with a bona fide agricultural~~  
11 ~~activity. For the purposes of this paragraph, "bona~~  
12 ~~fide agricultural activity" means a farming operation~~  
13 ~~as defined in section 165-2;~~

14 ~~(15)]~~ (14) Wind energy facilities, including the  
15 appurtenances associated with the production and  
16 transmission of wind generated energy; provided that  
17 the wind energy facilities and appurtenances are  
18 compatible with agriculture uses and cause minimal  
19 adverse impact on agricultural land;

20 [~~16~~] (15) Biofuel processing facilities, including the  
21 appurtenances associated with the production and





1 refining of biofuels that is normally considered  
2 directly accessory and secondary to the growing of the  
3 energy feedstock; provided that biofuel processing  
4 facilities and appurtenances do not adversely impact  
5 agricultural land and other agricultural uses in the  
6 vicinity.

7 For the purposes of this paragraph:

8 "Appurtenances" means operational infrastructure  
9 of the appropriate type and scale for economic  
10 commercial storage and distribution, and other  
11 similar handling of feedstock, fuels, and other  
12 products of biofuel processing facilities.

13 "Biofuel processing facility" means a facility  
14 that produces liquid or gaseous fuels from organic  
15 sources such as biomass crops, agricultural residues,  
16 and oil crops, including palm, canola, soybean, and  
17 waste cooking oils; grease; food wastes; and animal  
18 residues and wastes that can be used to generate  
19 energy;

20 [~~17~~] (16) Agricultural-energy facilities, including  
21 appurtenances necessary for an agricultural-energy



1 enterprise; provided that the primary activity of the  
2 agricultural-energy enterprise is agricultural  
3 activity. To be considered the primary activity of an  
4 agricultural-energy enterprise, the total acreage  
5 devoted to agricultural activity shall be not less  
6 than ninety per cent of the total acreage of the  
7 agricultural-energy enterprise. The agricultural-  
8 energy facility shall be limited to lands owned,  
9 leased, licensed, or operated by the entity conducting  
10 the agricultural activity.

11 As used in this paragraph:

12 "Agricultural activity" means any activity  
13 described in paragraphs (1) to (3) of this subsection.

14 "Agricultural-energy enterprise" means an  
15 enterprise that integrally incorporates an  
16 agricultural activity with an agricultural-energy  
17 facility.

18 "Agricultural-energy facility" means a facility  
19 that generates, stores, or distributes renewable  
20 energy as defined in section 269-91 or renewable fuel  
21 including electrical or thermal energy or liquid or



1 gaseous fuels from products of agricultural activities  
2 from agricultural lands located in the State.

3 "Appurtenances" means operational infrastructure  
4 of the appropriate type and scale for the economic  
5 commercial generation, storage, distribution, and  
6 other similar handling of energy, including equipment,  
7 feedstock, fuels, and other products of agricultural-  
8 energy facilities;

9 [~~(18)~~] (17) Construction and operation of wireless  
10 communication antennas; provided that, for the  
11 purposes of this paragraph, "wireless communication  
12 antenna" means communications equipment that is either  
13 freestanding or placed upon or attached to an already  
14 existing structure and that transmits and receives  
15 electromagnetic radio signals used in the provision of  
16 all types of wireless communications services;  
17 provided further that nothing in this paragraph shall  
18 be construed to permit the construction of any new  
19 structure that is not deemed a permitted use under  
20 this subsection;



1       ~~[(19)]~~ (18) Agricultural education programs conducted on a  
2                   farming operation as defined in section 165-2, for the  
3                   education and participation of the general public;  
4                   provided that the agricultural education programs are  
5                   accessory and secondary to the principal agricultural  
6                   use of the parcels or lots on which the agricultural  
7                   education programs are to occur and do not interfere  
8                   with surrounding farm operations. For the purposes of  
9                   this section, "agricultural education programs" means  
10                  activities or events designed to promote knowledge and  
11                  understanding of agricultural activities and practices  
12                  conducted on a farming operation as defined in section  
13                  165-2;

14       ~~[(20)]~~ (19) Solar energy facilities that do not occupy more  
15                   than ten per cent of the acreage of the parcel, or  
16                   twenty acres of land, whichever is lesser or for which  
17                   a special use permit is granted pursuant to section  
18                   205-6; provided that this use shall not be permitted  
19                   on lands with soil classified by the land study  
20                   bureau's detailed land classification as overall



1 (master) productivity rating class A unless the solar  
2 energy facilities are:

3 (A) Located on a paved or unpaved road in existence  
4 as of December 31, 2013, and the parcel of land  
5 upon which the paved or unpaved road is located  
6 has a valid county agriculture tax dedication  
7 status or a valid agricultural conservation  
8 easement;

9 (B) Placed in a manner that still allows vehicular  
10 traffic to use the road; and

11 (C) Granted a special use permit by the commission  
12 pursuant to section 205-6;

13 [~~21~~] (20) Solar energy facilities on lands with soil  
14 classified by the land study bureau's detailed land  
15 classification as overall (master) productivity rating  
16 B or C for which a special use permit is granted  
17 pursuant to section 205-6; provided that:

18 (A) The area occupied by the solar energy facilities  
19 is also made available for compatible  
20 agricultural activities at a lease rate that is



1           at least fifty per cent below the fair market  
2           rent for comparable properties;

3           (B) Proof of financial security to decommission the  
4           facility is provided to the satisfaction of the  
5           appropriate county planning commission prior to  
6           date of commencement of commercial generation;  
7           and

8           (C) Solar energy facilities shall be decommissioned  
9           at the owner's expense according to the following  
10          requirements:

11          (i) Removal of all equipment related to the  
12             solar energy facility within twelve months  
13             of the conclusion of operation or useful  
14             life; and

15          (ii) Restoration of the disturbed earth to  
16             substantially the same physical condition as  
17             existed prior to the development of the  
18             solar energy facility.

19          For the purposes of this paragraph, "agricultural  
20          activities" means the activities described in  
21          paragraphs (1) to (3);



- 1        [~~(22)~~] (21) Geothermal resources exploration and geothermal  
2                    resources development, as defined under section 182-1;  
3                    or  
4        [~~(23)~~] (22) Hydroelectric facilities, including the  
5                    appurtenances associated with the production and  
6                    transmission of hydroelectric energy, subject to  
7                    section 205-2; provided that the hydroelectric  
8                    facilities and their appurtenances:  
9                    (A) Have a hydroelectric generating capacity of not  
10                    more than five hundred kilowatts;  
11                    (B) Comply with the state water code, chapter 174C;  
12                    (C) Are accessory to agricultural activities on  
13                    agricultural land for agricultural use only; and  
14                    (D) Do not adversely impact or impede the use of  
15                    agricultural land or the availability of surface  
16                    or ground water for all uses on all parcels that  
17                    are served by the ground water sources or streams  
18                    for which hydroelectric facilities are  
19                    considered."

20                    SECTION 6. Section 205-5, Hawaii Revised Statutes, is  
21 amended by amending subsection (b) to read as follows:



1           "(b) Within agricultural districts, uses compatible to the  
2 activities described in section 205-2 as determined by the  
3 commission shall be permitted; provided that accessory  
4 agricultural uses and services described in sections 205-2 and  
5 205-4.5 may be further defined by each county by zoning  
6 ordinance. ~~[Each county shall adopt ordinances setting forth  
7 procedures and requirements, including provisions for  
8 enforcement, penalties, and administrative oversight, for the  
9 review and permitting of agricultural tourism uses and  
10 activities as an accessory use on a working farm, or farming  
11 operation as defined in section 165 2. Ordinances shall include  
12 but not be limited to:~~

- 13           ~~(1) Requirements for access to a farm, including road  
14 width, road surface, and parking;~~
- 15           ~~(2) Requirements and restrictions for accessory facilities  
16 connected with the farming operation, including gift  
17 shops and restaurants;~~
- 18           ~~(3) Activities that may be offered by the farming  
19 operation for visitors;~~
- 20           ~~(4) Days and hours of operation; and~~





1       ~~(5) Automatic termination of the accessory use upon the~~  
2           ~~cessation of the farming operation.~~

3       ~~Each county may require an environmental assessment under~~  
4       ~~chapter 343 as a condition to any agricultural tourism use and~~  
5       ~~activity.]~~ A county may adopt procedures and more restrictive  
6       standards and requirements for permitting and regulating  
7       agricultural tourism uses and activities, including more  
8       restrictive income criteria and proof of bona fide farming  
9       operations. Other uses may be allowed by special permits issued  
10       pursuant to this chapter. The minimum lot size in agricultural  
11       districts shall be determined by each county by zoning  
12       ordinance, subdivision ordinance, or other lawful means;  
13       provided that the minimum lot size for any agricultural use  
14       shall not be less than one acre, except as provided herein. If  
15       the county finds that unreasonable economic hardship to the  
16       owner or lessee of land cannot otherwise be prevented or where  
17       land utilization is improved, the county may allow lot sizes of  
18       less than the minimum lot size as specified by law for lots  
19       created by a consolidation of existing lots within an  
20       agricultural district and the resubdivision thereof; provided  
21       that the consolidation and resubdivision do not result in an



1 increase in the number of lots over the number existing prior to  
2 consolidation; and provided further that in no event shall a lot  
3 which is equal to or exceeds the minimum lot size of one acre be  
4 less than that minimum after the consolidation and resubdivision  
5 action. The county may also allow lot sizes of less than the  
6 minimum lot size as specified by law for lots created or used  
7 for plantation community subdivisions as defined in section 205-  
8 4.5(a)(12), for public, private, and quasi-public utility  
9 purposes, and for lots resulting from the subdivision of  
10 abandoned roadways and railroad easements."

11 SECTION 7. Each county may adopt interim rules or  
12 ordinances to regulate agricultural tourism uses and activities,  
13 to remain in effect until the county has adopted or amended  
14 applicable county codes to conform to this Act.

15 SECTION 8. This Act shall not invalidate a lawful permit  
16 for an agricultural tourism use and activity including overnight  
17 accommodations, on lands in an agricultural district in effect  
18 on or before the effective date of this Act.

19 SECTION 9. Statutory material to be repealed is bracketed  
20 and stricken. New statutory material is underscored.



1           SECTION 10. This Act shall take effect on January 20,  
2 2050; provided that the amendments made to section 205-4.5(a),  
3 Hawaii Revised Statutes, by section 5 of this Act shall not be  
4 repealed when section 205-4.5, Hawaii Revised Statutes, is  
5 reenacted on June 30, 2019, pursuant to section 3 of Act 52,  
6 Session Laws of Hawaii 2014.



**Report Title:**

Agricultural Tourism; Agricultural District Lands; Bona Fide Farming Operation

**Description:**

Permits agricultural tourism uses and activities, including overnight accommodations, in conjunction with bona fide farming operations on agricultural district lands statewide and establishes operational and income requirements. (HB2091 HD1)

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

