

---

---

# A BILL FOR AN ACT

RELATING TO PREFERENTIAL ELECTRICITY RATES FOR PROTECTED  
AGRICULTURE.

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

1           SECTION 1. The legislature finds that it is the policy of  
2 the State to promote the increased production of fruits and  
3 vegetables for local consumption. The legislature also finds  
4 that protected agriculture, a term that encompasses a variety of  
5 crop production technologies and techniques that use partial or  
6 full control of a plant's micro-climate to target the particular  
7 species' requirements, helps overcome local pest and weather  
8 pressures that negatively impact agriculture in the State. When  
9 properly managed, protected agriculture allows for more  
10 efficient use of water and fertilizer while also reducing the  
11 need for pesticides and herbicides.

12           The legislature further finds that protected agriculture  
13 aligns with the federal Food and Drug Administration's Food  
14 Safety Modernization Act, P.L. 111-353, by producing fruits and  
15 vegetables in a safe and optimum environment. However, without  
16 a preferential rate for electricity, protected agriculture



1 cannot economically produce the quantities of fruits and  
2 vegetables needed to advance Hawaii's sustainability  
3 initiatives.

4 The purpose of this Act is to authorize the public  
5 utilities commission to establish preferential electricity rates  
6 for agricultural activities that utilize protected agriculture  
7 to produce fruits or vegetables for distribution.

8 SECTION 2. Chapter 269, Hawaii Revised Statutes, is  
9 amended by adding a new section to part I to be appropriately  
10 designated and to read as follows:

11 "§269- Preferential electricity rates; protected  
12 agriculture. (a) The public utilities commission may establish  
13 preferential electricity rates for agricultural activities that  
14 utilize protected agriculture to produce fruits or vegetables  
15 for distribution.

16 (b) A public utility shall provide a request for  
17 preferential electricity rates to the public utilities  
18 commission for approval upon receipt of:

19 (1) A bona fide request for preferential electricity rates  
20 for agricultural activities that utilize protected



1           agriculture to produce fruits or vegetables for  
2           distribution; and  
3           (2) Proof that the fruits or vegetables cited in the  
4           request are produced in a manner consistent with this  
5           section.  
6           (c) For purposes of this section, "protected agriculture"  
7           means any crop production technologies or techniques that  
8           partially or fully control a plant's micro-climate to target the  
9           particular species' requirements; provided that the term shall  
10           not include agricultural activities that produce medical  
11           cannabis."

12           SECTION 3. This Act does not affect rights and duties that  
13           matured, penalties that were incurred, and proceedings that were  
14           begun before its effective date.

15           SECTION 4. New statutory material is underscored.

16           SECTION 5. This Act shall take effect on July 1, 2150.



**Report Title:**

PUC; Preferential Electricity Rates; Protected Agriculture

**Description:**

Authorizes the Public Utilities Commission to establish preferential electricity rates for agricultural activities that utilize protected agriculture to produce fruits or vegetables for distribution. (HB452 HD1)

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

