
A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1 SECTION 1. The legislature finds that agricultural theft
2 and vandalism are a constant worry for farmers and ranchers in
3 the State. Given the broad acreage that many farming and
4 ranching operations encompass, it is often difficult for farmers
5 and ranchers to police their entire operations at all times.
6 Furthermore, vigilance at night after work hours may be
7 challenging because not all farmers and ranchers are able to
8 live on or near the fields where they work. All of these
9 factors make agricultural operations easy prey for theft or
10 vandalism.

11 The legislature also finds that the county of Hawaii is
12 known as the breadbasket of the State. However, agricultural
13 theft and vandalism have been a constant threat for farmers and
14 ranchers on the island and have also been a problem in the
15 county of Maui, increasing the cost of production and making it
16 more difficult for farming and ranching operations to be
17 successful.



1 The legislature further finds that individuals who grow
2 food or other agricultural products for their own use or for
3 small-scale sale also may be targets of agricultural product
4 theft and vandalism. This theft and vandalism dispossesses
5 victims of food they have grown, deprives them of a source of
6 income, and reduces their self-sufficiency.

7 The purpose of this Act is to establish a two-year
8 agricultural theft and vandalism pilot project to examine the
9 effectiveness of prosecuting agricultural theft and vandalism
10 cases in the counties of Hawaii and Maui, including theft and
11 vandalism affecting individuals who are not full-time farmers or
12 ranchers.

13 SECTION 2. (a) The department of agriculture shall:

- 14 (1) Establish a two-year agricultural theft and vandalism
15 pilot project to examine and assess the effectiveness
16 of prosecuting agricultural theft and agricultural
17 vandalism cases in the counties of Hawaii and Maui;
- 18 (2) Examine and assess the effectiveness of prosecuting
19 the theft of agricultural products produced for
20 personal or small-scale commercial use on any land,
21 regardless of land classification;



- 1 (3) Partner with the counties of Hawaii and Maui to hire
2 one full-time equivalent (1.0 FTE) enforcement officer
3 for each county, to be placed within the respective
4 prosecuting attorney's office or any other law
5 enforcement agency; and
- 6 (4) Assess the implementation of the pilot project,
7 including the pilot project's effectiveness in:
 - 8 (A) Identifying the number of convictions for
9 agricultural theft and agricultural vandalism;
 - 10 (B) Identifying best practices for prosecuting
11 perpetrators of agricultural theft and
12 agricultural vandalism;
 - 13 (C) Identifying best practices for the coordination
14 of local police and other enforcement officers'
15 interaction between the prosecuting attorney's
16 office and the judiciary;
 - 17 (D) Identifying best practices for the development
18 and implementation of the public's and farmers'
19 reporting of agricultural theft, agricultural
20 vandalism, or the attempt of agricultural theft
21 or vandalism;



1 (E) Identifying areas where agricultural theft and
2 agricultural vandalism are most prevalent;

3 (F) Identifying best practices for preventing
4 agricultural theft and agricultural vandalism;
5 and

6 (G) Making recommendations for a statewide program to
7 address agricultural theft and agricultural
8 vandalism.

9 (b) Based on the department of agriculture's assessment of
10 the agricultural theft and vandalism pilot project, the
11 department shall determine whether to continue, expand, or end
12 the pilot project.

13 (c) The department of agriculture shall submit reports to
14 the legislature of its findings and recommendations, including
15 any proposed legislation, no later than twenty days prior to the
16 convening of the regular sessions of 2020 and 2021.

17 SECTION 3. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2019-2020 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2020-2021 for the establishment and implementation of a two-year



1 agricultural theft and vandalism pilot project, including the
2 hiring of two full-time equivalent (2.0 FTE) enforcement
3 officers for the pilot project.

4 The sums appropriated shall be expended by the department
5 of agriculture for the purposes of this Act.

6 SECTION 4. This Act shall take effect on July 1, 2150.



Report Title:

HDOA; Agricultural Theft and Vandalism Pilot Project; County of Hawaii; County of Maui; Appropriation

Description:

Requires the Department of Agriculture to establish a 2-year Agricultural Theft and Vandalism Pilot Project to examine the effectiveness of prosecuting agricultural theft and agricultural vandalism in the counties of Hawaii and Maui. Appropriates funds. (SB759 HD1)

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