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# 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 areas where agricultural theft and  
14           agricultural vandalism are most prevalent;
- 15           (D) Identifying best practices for preventing  
16           agricultural theft and agricultural vandalism;  
17           and
- 18           (E) Making recommendations for a statewide program to  
19           address agricultural theft and agricultural  
20           vandalism.



1 (b) Based on the department of agriculture's assessment of  
2 the agricultural theft and vandalism pilot project, the  
3 department shall determine whether to continue, expand, or end  
4 the pilot project.

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

9 SECTION 3. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$200,000 or so much  
11 thereof as may be necessary for fiscal year 2019-2020 and the  
12 same sum or so much thereof as may be necessary for fiscal year  
13 2020-2021 for the establishment and implementation of a two-year  
14 agricultural theft and vandalism pilot project, including the  
15 hiring of two full-time equivalent (2.0 FTE) enforcement  
16 officers for the pilot project.

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

19 SECTION 4. This Act shall take effect on March 15, 2050.



**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. Takes effect 3/15/2050. (SD2)

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