H.B. NO. 1803

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII TO RECOGNIZE AND PROTECT THE INHERENT AND INALIENABLE RIGHT OF ALL PEOPLE TO CLEAN WATER AND AIR AND HEALTHY ECOSYSTEMS, INCLUDING CLIMATE, AND TO THE PRESERVATION OF THE NATURAL, CULTURAL, SCENIC, AND HEALTHFUL QUALITIES OF THE ENVIRONMENT.

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

SECTION 1. The purpose of this Act is to propose an 1 amendment to article I of the Constitution of the State of 2 3 Hawaii to recognize and protect the inherent and inalienable right of all individuals to clean water and air and health 4 ecosystems, including climate. The amendment would also 5 6 recognize and protect the right of all to the preservation of 7 the natural, cultural, scenic, and healthful qualities of the environment. The amendment will complement existing 8 constitutional provisions and raise up protection of the human 9 10 health, cultural, and natural values of the environment that are 11 essential to support Hawaiian life.

SECTION 2. Article I of the Constitution of the State of Hawaii is amended by adding a new section to be appropriately designated and to read as follows:



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| 1 | "ENVIRONMENTAL RIGHTS |
|----|--|
| 2 | Section . All people have an inherent and inalienable |
| 3 | right to clean water and air and health ecosystems, including |
| 4 | climate, flora, fauna and soil, and to the preservation of the |
| 5 | natural, cultural, scenic and healthful qualities of the |
| 6 | environment. These rights belong to both present and future |
| 7 | generations. The State and its subdivision shall protect and |
| 8 | not infringe upon these rights." |
| 9 | SECTION 3. The question to be printed on the ballot shall |
| 10 | be as follows: |
| 11 | "Shall the Constitution of the State of Hawaii be amended to |
| 12 | recognize and protect the inherent and inalienable right of |
| 13 | all people in both present and future generations, to clean |
| 14 | water and air and healthy ecosystems, including climate, and |
| 15 | to the preservation of the natural, cultural, scenic, and |
| 16 | healthful qualities of the environment, and to ensure that |
| 17 | the State and its political subdivision shall protect and |
| 18 | not infringe upon these rights?" |
| 19 | SECTION 4. New constitutional material is underscored. |



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SECTION 5. This amendment shall take effect upon
compliance with article XVII, section 3, of the Constitution of
the State of Hawaii.

INTRODUCED BY:

JAN 2 1 2022



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Report Title:

Constitutional Amendment; Green Amendment; Environmental Protection

Description:

Proposes a constitutional amendment that recognizes and protects, for present and future generations, the inherent and inalienable right of all people to clean water and air and healthy ecosystems, including climate, and to the preservation of the natural, cultural, scenic, and healthful qualities of the environment. Provides that the State and its subdivisions shall protect and shall not infringe upon these rights.

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

