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# A BILL FOR AN ACT

RELATING TO REAL PROPERTY.

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

1           SECTION 1. Chapter 421J, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:  
4           "§421J-       Personal agriculture allowed. (a)  
5 Notwithstanding any provision of an association document to the  
6 contrary, no association shall prohibit or unreasonably restrict  
7 the use of a member's enclosed yard area for personal  
8 agriculture.  
9           (b) This section shall apply only to enclosed yard areas  
10 that are designated for the exclusive use of the member.  
11           (c) This section shall not:  
12           (1) Apply to provisions in an association document that  
13           impose reasonable restrictions on the use of a  
14           member's enclosed yard area for personal agriculture;  
15           or  
16           (2) Prohibit an association from applying rules and  
17           regulations requiring that dead plant material and



1           weeds, with the exception of straw, mulch, compost,  
2           and other organic materials intended to encourage  
3           vegetation and retention of moisture in the soil, be  
4           regularly cleared from the enclosed yard area.

5           (d) For purposes of this section:

6           "Personal agriculture" means a use of land where an  
7           individual cultivates edible plant crops for personal use or  
8           donation.

9           "Reasonable restrictions" means restrictions that do not  
10          significantly increase the cost of engaging in personal  
11          agriculture or significantly decrease its efficiency."

12          SECTION 2. New statutory material is underscored.

13          SECTION 3. This Act shall take effect on July 1, 2050.

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# H.B. NO. 2280 H.D. 2

**Report Title:**

Planned Community Associations; Personal Agriculture; Enclosed  
Yard Area

**Description:**

Specifies that planned community associations cannot prohibit or  
unreasonably restrict the use of a member's enclosed yard area  
for personal agriculture. Effective 7/1/2050. (HD2)

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

