

STAND. COM. REP. NO. 496-22

Honolulu, Hawaii

FEB 17 , 2022

RE: H.B. No. 2042  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 2042 entitled:

"A BILL FOR AN ACT RELATING TO SOLAR ENERGY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the governing body of a county to create, by ordinance, a process for the recordation and enforcement of solar easements;
- (2) Allow counties to require individuals claiming a solar right to record that right by filing a declaration with the county clerk; and
- (3) Authorize the governing body of a county to require, by ordinance, the trimming of vegetation that blocks solar radiation from solar energy devices.

Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Hawaii State Energy Office.

Your Committee finds that the development and expansion of solar energy technology will help the State achieve its renewable

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energy goals. Enabling the counties to regulate and enforce certain rights or access to solar radiation would create a mechanism by which solar easements and rights may be established, asserted, and defended even as shade from neighboring structures or vegetation may infringe upon those rights or access.

Your Committee has amended this measure by:

- (1) Changing the effective date to July 1, 2100, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2042, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2042, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,



NICOLE E. LOWEN, Chair



