

JAN 19 2023

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# A BILL FOR AN ACT

RELATING TO AGRICULTURAL DISTRICTS.

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

1           SECTION 1. Section 205-4.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (f) to read as follows:

3           "(f) Notwithstanding any other law to the contrary,  
4 agricultural lands may be subdivided and leased for the  
5 agricultural uses or activities permitted in subsection (a);  
6 provided that:

7           (1) The principal use of the leased land is agriculture;

8           (2) No permanent or temporary dwellings or farm dwellings,  
9 including trailers and campers, are constructed on the  
10 leased area. This restriction shall not prohibit the  
11 construction of storage sheds, equipment sheds, or  
12 other structures appropriate to the agricultural  
13 activity carried on within the lot; provided that any  
14 violation of this paragraph shall be subject to county  
15 enforcement authority and fines pursuant to sections  
16 46-4, 205-12, and 205-13; and



1 (3) The lease term for a subdivided lot shall be for at  
2 least as long as the greater of:

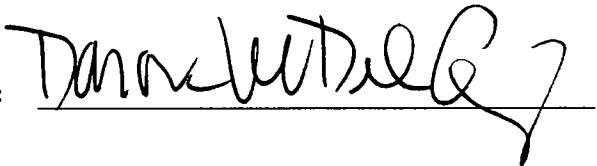
3 (A) The minimum real property tax agricultural  
4 dedication period of the county in which the  
5 subdivided lot is located; or

6 (B) Five years.

7 Lots created and leased pursuant to this section shall be legal  
8 lots of record for mortgage lending purposes and ~~[shall]~~ may be  
9 exempt from county subdivision standards[-]; provided that, for  
10 condominium property regimes, a county may require its approval  
11 of the subdivision of land greater than ten acres prior to the  
12 effective date of the condominium property regime."

13 SECTION 2. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval.

16 INTRODUCED BY: 



# S.B. NO. 287

**Report Title:**

Agricultural Districts; Condominium Property Regimes; Counties

**Description:**

For condominium property regimes, authorizes counties to require its approval of the subdivision of land greater than ten acres prior to the effective date of the condominium property regime.

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

