
A BILL FOR AN ACT

RELATING TO EMERGENCY MANAGEMENT.

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

1 SECTION 1. The legislature finds that climate change
2 driven by historic and continued carbon emissions from fossil
3 fuel use will increase the prevalence of wildfires, extreme heat
4 events, flooding, and storms with potentially devastating
5 impacts on Hawaii's communities. The legislature further finds
6 that community resilience is the capacity of a community to
7 withstand, recover, rebound, and learn from adverse events and
8 strengthen future response and recovery efforts. During an
9 adverse event, all members of a resilient community should be
10 able to meet their basic needs. Adverse events include
11 wildfires, extreme heat events, flooding, storms, other climate
12 emergencies, and non-climate related adverse events. Resilient
13 communities have ownership of their essential resources, and all
14 members are protected from adverse events, cared for during and
15 after these events, and included in restorative efforts
16 regardless of race, gender, sexuality, income, and ability.



1 The legislature also finds that resilient communities have
2 physical infrastructure, governance structures, and economic
3 conditions that are capable of withstanding adverse events and
4 allow community members to become stronger after an adverse
5 event. Building community resilience is an ongoing practice and
6 includes strengthening connections between residents so that
7 they can rely on each other in times of need. Increased
8 resident connection can be supported by making investments in
9 the built environment, addressing economic wellbeing, and
10 creating more inclusive and responsive governance structures.
11 Building community resilience means planning holistically for
12 prevention, protection, mitigation, response, and recovery to
13 adverse events.

14 The purpose of this Act is to:

- 15 (1) Establish the resilience hub and network grant program
16 and the resilience hub and network grant program
17 special fund; and
- 18 (2) Increase the environmental response, energy, and food
19 security tax and deposit a portion of the tax into the
20 resilience hub and network grant program special fund.



1 SECTION 2. Chapter 127A, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 **"§127A-A Resilience hub and network grant program. (a)**

5 There is established the resilience hub and network grant
6 program within the agency to provide grants, support, and
7 technical assistance for resilience hubs and resilience networks
8 statewide. The agency shall award:

9 (1) Grants for expenses related to planning and organizing
10 resilience hubs and resilience networks; and

11 (2) Grants to support and expand development and operation
12 of resilience hubs and resilience networks to ensure
13 that physical facilities:

14 (A) Can provide protection from extreme weather;

15 (B) Can maintain power and climate during power
16 outages;

17 (C) Have auxiliary communication capabilities; and

18 (D) Are resilient following earthquakes, fires,
19 tsunamis, hurricanes, floods, other severe
20 weather events, and other potential disasters,
21 emergencies, or incidents.



1 (b) Individuals or organizations may apply for grants in a
2 form to be determined by the agency; provided that an
3 application shall include:

4 (1) A description of the purpose for which grant moneys
5 will be expended;

6 (2) A plan for implementing specific strategies to build
7 resilience in a community;

8 (3) A description of additional resources available for
9 purposes of the resilience hub or resilience network;

10 (4) A description of the project's ability to serve
11 vulnerable populations and communities traditionally
12 underrepresented in the public process, including
13 communities of color, communities experiencing lower
14 income, rural communities, communities with limited
15 infrastructure, seniors, youth, and persons with
16 disabilities; and

17 (5) Any other information required by the agency.

18 (c) The agency shall execute grant agreements with grant
19 recipients to use grant moneys for purposes specified in the
20 grant agreements. The agency shall determine the permissible
21 purposes for a grant under this section based on the needs of



1 the resilience hub or resilience network. The agency shall
2 determine the needs of the resilience hub or resilience network
3 in consultation with the community, including populations
4 described in subsection (b)(4), within the locality in which the
5 resilience hub or resilience network operates.

6 (d) The agency shall adopt rules pursuant to chapter 91
7 necessary to carry out the purposes of this section.

8 (e) For purposes of this section:

9 "Resilience hub" means a physical facility that is
10 operated, managed, or supported by one or more local residents,
11 local governments, public schools, community-based
12 organizations, faith-based organizations, nonprofit
13 organizations, or non-governmental organizations and that:

14 (1) Supports the needs of community members, facilitates
15 gathering and communication, distributes resources,
16 and otherwise enhances quality of life within a
17 community;

18 (2) Serves as a central point for gathering, information
19 sharing, and coordination in response to a disruption
20 in the community;



- 1 (3) Enhances the ability of a community to respond to and
2 recover from a disruption in a community;
- 3 (4) Is positioned, operated, and resourced on a day-to-day
4 basis to provide community resources, including but
5 not limited to food, water, information exchange,
6 energy, electronic charging stations, basic medical
7 supplies, and equipment proportionate to the size of
8 the community's population and needs;
- 9 (5) Supports community cache sites and other support for
10 community members who shelter in place;
- 11 (6) Can provide child care, training, food distribution,
12 and other services that can help a community respond
13 to unmet social needs to prepare for, respond to, and
14 recover from disasters;
- 15 (7) Can provide or can be retrofitted to provide reliable
16 renewable energy and energy storage, cooling, air
17 filtration, and weather protection; and
- 18 (8) Accommodates individuals with accessibility needs.
- 19 "Resilience network" means an association of facilities,
20 organizations, resource providers, or service providers outside



1 of a resilience hub physical facility that collectively serves
2 the purposes of a resilience hub.

3 **§127A-B Resilience hub and network grant program special**

4 **fund.** (a) There is established in the state treasury the
5 resilience hub and network grant program special fund, into
6 which shall be deposited:

7 (1) A portion of the environmental response, energy, and
8 food security tax pursuant to section 243-3.5;

9 (2) Appropriations made by the legislature;

10 (3) All contributions from public or private partners; and

11 (4) All interest earned on or accrued to moneys deposited
12 into the special fund.

13 (b) Moneys in the resilience hub and network grant program
14 special fund shall be used for the resilience hub and network
15 grant program pursuant to section 127A-A."

16 SECTION 3. Section 243-3.5, Hawaii Revised Statutes, is
17 amended by amending subsections (a) and (b) to read as follows:

18 "(a) In addition to any other taxes provided by law,
19 subject to the exemptions set forth in section 243-7, there is
20 hereby imposed a state environmental response, energy, and food
21 security tax on each barrel or fractional part of a barrel of



1 petroleum product sold by a distributor to any retail dealer or
2 end user of petroleum product, other than a refiner. The tax
3 shall be [~~\$1.05~~] \$2.10 on each barrel or fractional part of a
4 barrel of petroleum product that is not aviation fuel; provided
5 that of the tax collected pursuant to this subsection:

6 (1) 5 cents of the tax on each barrel shall be deposited
7 into the environmental response revolving fund
8 established under section 128D-2;

9 (2) 4 cents of the tax on each barrel shall be deposited
10 into the energy security special fund established
11 under section 201-12.8;

12 (3) 5 cents of the tax on each barrel shall be deposited
13 into the energy systems development special fund
14 established under section 304A-2169.1;

15 (4) 3 cents of the tax on each barrel shall be deposited
16 into the electric vehicle charging system subaccount
17 established pursuant to section 269-33(e); [~~and~~]

18 (5) 3 cents of the tax on each barrel shall be deposited
19 into the hydrogen fueling system subaccount
20 established pursuant to section 269-33(f) [~~-~~]; and



1 (6) \$1.05 of the tax on each barrel shall be deposited
2 into the resilience hub and network grant program
3 special fund established pursuant to section 127A-B.

4 The tax imposed by this subsection shall be paid by the
5 distributor of the petroleum product.

6 (b) In addition to subsection (a), the tax shall also be
7 imposed on each one million British thermal units of fossil fuel
8 sold by a distributor to any retail dealer or end user, other
9 than a refiner, of fossil fuel. The tax shall be ~~[19]~~ 38 cents
10 on each one million British thermal units of fossil fuel;
11 provided that of the tax collected pursuant to this subsection:

12 (1) 4.8 per cent of the tax on each one million British
13 thermal units shall be deposited into the
14 environmental response revolving fund established
15 under section 128D-2;

16 (2) 14.3 per cent of the tax on each one million British
17 thermal units shall be deposited into the energy
18 security special fund established under section 201-
19 12.8; ~~[and]~~

20 (3) 9.5 per cent of the tax on each one million British
21 thermal units shall be deposited into the energy



1 systems development special fund established under
 2 section 304A-2169.1[-]; and
 3 (4) Fifty per cent of the tax on each one million British
 4 thermal units shall be deposited into the resilience
 5 hub and network grant program special fund established
 6 pursuant to section 127A-B.

7 The tax imposed by this subsection shall be paid by the
 8 distributor of the fossil fuel."

9 SECTION 4. In codifying the new sections added by section
 10 2 of this Act, the revisor of statutes shall substitute
 11 appropriate section numbers for the letters used in designating
 12 the new sections in this Act.

13 SECTION 5. Statutory material to be repealed is bracketed
 14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2024.

16

INTRODUCED BY: 

JAN 24 2024



H.B. NO. 2687

Report Title:

HIEMA; Resilience Hub; Resilience Network; Grants; Environmental Response, Energy, and Food Security Tax

Description:

Establishes the resilience hub and network grant program and a special fund in the Hawaii Emergency Management Agency. Increases the environmental response, energy, and food security tax and deposits a portion of the tax into the resilience hub and network grant program special fund.

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