

JAN 17 2024

A BILL FOR AN ACT

RELATING TO WATER CATCHMENT SYSTEMS.

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

1 SECTION 1. The legislature finds that the State continues
2 to face a severe potable water shortage. Recent high-profile
3 petroleum leaks at the Red Hill bulk fuel storage facility
4 underscore the fragility of the State's water system. As
5 recently as March 2022, the board of water supply of the city
6 and county of Honolulu was forced to take precautionary measures
7 and shut down the Hālawā Shaft, Hālawā Well, and Aiea Well amid
8 concerns arising from contamination of the nearby Navy water
9 distribution system coupled with drought conditions.

10 The legislature further finds that access to water is a
11 prerequisite to addressing many of the State's current problems
12 relating to developing affordable housing, empowering local
13 businesses, diversifying the economy, and improving the economic
14 stability of the State's most vulnerable residents. Therefore,
15 the State must pursue innovative solutions to decrease use of
16 the State's limited aquifers, including the use of water
17 catchment systems.



1 The legislature further finds that water catchment systems
2 help to capture and utilize rainwater more efficiently and keep
3 existing state water infrastructure, including both municipal
4 water and stormwater systems, in working order. In 2017, the
5 Journal of Contemporary Water Research and Education published
6 an article entitled "Survey of Rainwater Catchment Use and
7 Practices on Hawaii Island", which states that "[u]p to 60,000
8 people in the state of Hawaii were estimated to be dependent on
9 rainwater catchment as their primary domestic water source",
10 with the majority of people dependent upon captured water living
11 on Hawai'i island.

12 The legislature further finds that water catchment systems
13 can supplement potable water systems, conserving natural
14 resources while serving as the sole daily water source for
15 people living in rural districts. However, existing law allows
16 captured water for personal uses only and prohibits the use of
17 captured water for business activities. A lack of nearby
18 commercial kitchens and county water infrastructure in
19 underserved rural areas inherently disadvantages local
20 businesses and contributes to unviable local business
21 conditions.



1 The legislature further finds that the department of health
2 recommends following the university of Hawai'i at Manoa college
3 of tropical agriculture and human resources' revised 2020
4 rainwater catchment systems guidelines. The design,
5 maintenance, and treatment guidelines outline a safe process for
6 utilizing water captured for personal use that can be
7 appropriately applied to business activities under certain
8 regulatory conditions.

9 Accordingly, the purpose of this Act is to establish a
10 working group within the department of health to assess the
11 feasibility of allowing business owners in the State to utilize
12 filtered water collected by water catchment systems for business
13 activities.

14 SECTION 2. (a) There is established within the
15 department, a business activity water catchment system working
16 group.

17 (b) The working group shall assess and make
18 recommendations on:

19 (1) The feasibility of allowing business owners in the
20 State to utilize filtered water collected by water
21 catchment systems for business activities, including



1 the types and size of businesses that are best suited
2 to implement water catchment systems for business
3 activities;

4 (2) The feasibility of establishing a business activity
5 water catchment system testing program within the
6 department that provides or otherwise assists business
7 owners in conducting annual testing of filtered water
8 produced from a water catchment system for business
9 activities, including determining the types of
10 chemicals or substances, in addition to lead and
11 copper, that need to be tested to ensure the safety of
12 the filtered water for business activities;

13 (3) How the State and counties can cooperate in ensuring
14 that water catchment systems utilized for business
15 activities are in compliance with applicable plumbing
16 codes; and

17 (4) Possible means by which the State can assist business
18 owners in safely utilizing filtered water from a water
19 catchment system for business activities.

20 (c) The working group shall consist of the following
21 members:



1 (1) One member of the senate, appointed by the president
2 of the senate, who shall serve as co-chair of the
3 working group;

4 (2) One member of the house of representatives, appointed
5 by the speaker of the house of representative, who
6 shall serve as co-chair of the working group;

7 (3) Director of health or director's designee;

8 (4) Four members representing each of the county's board
9 or department of water supply;

10 (5) One member representing the public, appointed by the
11 president of the senate; and

12 (6) One member representing the public, appointed by the
13 speaker of the house of representatives.

14 (d) The working group shall report its findings and
15 recommendations, including any proposed legislation, to the
16 legislature no later than twenty days prior to the convening of
17 the regular session of 2026.

18 (e) The members of the working group shall serve without
19 compensation but shall be reimbursed for expenses, including
20 travel expenses, necessary for the performance of their duties.



1 (f) No member of the working group shall be subject to
2 chapter 84, Hawaii Revised Statutes, solely because of the
3 member's participation in the working group.

4 (g) The working group shall be dissolved on June 30, 2026.

5 (h) For the purposes of this section:

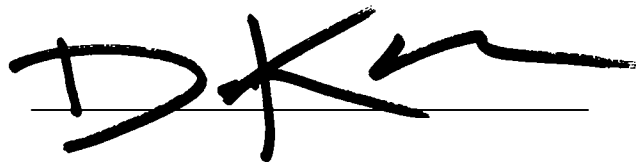
6 "County" means the city and county of Honolulu, the county
7 of Hawaii, the county of Kauai, and the county of Maui.

8 "Department" means the department of health.

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

10

INTRODUCED BY:

A large, bold, handwritten signature in black ink, appearing to be the initials 'DK' followed by a stylized flourish, is written over a horizontal line.

S.B. NO. 2104

Report Title:

DOH; Water Catchment Systems; Business Activity Water Catchment System Working Group; Report

Description:

Establishes a Business Activity Water Catchment System Working Group within the Department of Health to assess the feasibility of allowing business owners in the State to utilize filtered water collected by water catchment systems for business activities. Requires the Business Activity Water Catchment System Working Group to report its findings and recommendations to the Legislature before the Regular Session of 2026 and dissolve on June 30, 2026.

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

