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# A BILL FOR AN ACT

RELATING TO THE ENVIRONMENT.

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

1           SECTION 1. The legislature finds that Hawaii's natural  
2 resources, including reefs, beaches, oceans, forests, streams,  
3 estuaries, and shorelines, provide irreplaceable and invaluable  
4 benefits to residents and visitors. These natural resources are  
5 critical to generating billions of dollars for Hawaii's economy  
6 and the local community and supporting thousands of jobs for  
7 residents. Hawaii's natural resources are inseparable from the  
8 State's culture and directly support the visitor industry and  
9 the livelihoods that depend on the visitor industry.

10           The legislature further finds that despite the incredible  
11 value of Hawaii's natural resources, the State currently invests  
12 less than one per cent of its budget to protect, restore, and  
13 manage these assets. To leave a healthy natural resources  
14 legacy for future generations of Hawaii residents and visitors,  
15 the State must urgently address the estimated \$360,000,000  
16 annual conservation funding gap, and provide sustained,



1 increased funding for Hawaii's natural resources and  
2 environment.

3       The legislature also finds that Hawaii's natural  
4 environment faces significant environmental pressures from heavy  
5 use by persons traveling from throughout the world to enjoy the  
6 State's natural beauty and resources. Hawaii's natural  
7 environment also faces increasing challenges as a result of  
8 climate change. Continuing to underinvest in the protection and  
9 care of Hawaii's natural resources poses a significant liability  
10 to the State's visitor industry, the stability of the natural  
11 systems, including water quality, and economic resilience.  
12 Hawaii residents already contribute significantly to the  
13 protection and management of the State's natural resources  
14 through taxes. With escalating visitor impacts, there is an  
15 immediate need for additional resources to protect, restore, and  
16 manage Hawaii's natural resources.

17       The legislature believes that it is reasonable and timely  
18 to ask visitors to Hawaii who enjoy local natural resources to  
19 further contribute to the protection, restoration, and care of  
20 these resources. Visitor green fees have been successfully  
21 implemented in other visitor destinations around the world,



1 including the Galapagos Islands, New Zealand, and Palau. A  
2 visitor green fee program will provide additional resources to  
3 protect Hawaii's natural resources for the enjoyment of future  
4 generations while supporting the creation of thousands of jobs  
5 for Hawaii residents. A \$50 fee paid by visitors who enjoy  
6 Hawaii's public parks, beaches, and trails could generate up to  
7 \$400,000,000 each year to enable the State to leave future  
8 generations with a healthy and safe environment.

9 The legislature additionally finds that a visitor green fee  
10 program can support economic diversification and create  
11 thousands of public and private jobs in Hawaii's economy. A  
12 visitor green fee program can also help finance the achievement  
13 of the 2030 Aloha+ challenge natural resource management target,  
14 adopted by the State in July 2014, and supported by the  
15 legislature, governor, four county mayors, office of Hawaiian  
16 affairs, and partners across the State. The legislature now  
17 believes it is imperative to raise additional revenues to leave  
18 a positive environmental legacy for Hawaii's future generations  
19 and that a visitor green fee will provide a reasonable and  
20 appropriate way to generate these needed revenues.

21 Accordingly, the purpose of this Act is to:



1           (1) Require the department of land and natural resources  
2           to establish a visitor green fee program to collect  
3           fees from visitors to the State for the provision of  
4           sustained and increased funding for the protection,  
5           restoration, and care of Hawaii's natural, cultural,  
6           and outdoor recreational resources and build the  
7           resilience of these resources to the impacts of  
8           climate change and local threats;

9           (2) Establish the Hawaii environmental legacy commission  
10          to guide the disbursement of funds collected from the  
11          visitor green fee program; and

12          (3) Establish the Hawaii environmental legacy special  
13          fund.

14          SECTION 2. Chapter 171, Hawaii Revised Statutes, is  
15          amended by adding a new part to be appropriately designated and  
16          to read as follows:

17                            "PART       .   VISITOR GREEN FEE PROGRAM

18          §171-A Definitions. As used in this part:

19          "Commission" means the Hawaii environmental legacy  
20          commission.



1 "License" means the license issued by the department that  
2 allows visitors to use state natural resources, including  
3 beaches, parks, trails, coastlines, and the environment.

4 "Nonprofit organization" means a private, nonprofit  
5 organization with nonprofit status acknowledged by the United  
6 States Internal Revenue Service that qualifies under section  
7 501(c)(3) of the Internal Revenue Code, as amended, and has  
8 among its charitable purposes the preservation, restoration,  
9 management, or interpretation of natural or cultural resources  
10 for scientific, historic, educational, recreational, scenic,  
11 wildlife, or open-space purposes, the protection of the natural  
12 environment or biological resources, the preservation or  
13 enhancement of wildlife, or the protection or interpretation of  
14 native Hawaiian cultural resources.

15 "Nonresident" means an individual who is not a resident.

16 "Resident" means an individual who has:

17 (1) Filed or paid state income taxes for the immediately  
18 previous tax period; or

19 (2) Established domicile in the State, as evidenced by  
20 documentation showing the individual's address,  
21 including any of the following:



- 1 (A) A valid state driver's license;
- 2 (B) A valid state civil identification card;
- 3 (C) A valid school identification card; or
- 4 (D) Any other official document issued to the  
5 individual by a government agency, financial  
6 institution, insurance company, or utility  
7 company in the State.

8 "Special fund" means the Hawaii environmental legacy  
9 special fund.

10 **§171-B Visitor green fee program.** (a) There is  
11 established a visitor green fee program to advance the 2030  
12 Aloha+ challenge natural resource management targets. Under the  
13 program, to be administered by the department, nonresidents  
14 shall pay the visitor green fee in order to obtain a license to  
15 use Hawaii's public beaches, parks, trails, coastlines, and  
16 environment. Visitor green fees collected shall be deposited  
17 into the Hawaii environmental legacy special fund established  
18 pursuant to section 171-D.

19 (b) Beginning July 1, 2024, it shall be unlawful for any  
20 nonresident of the State who has attained the age of fifteen,  
21 except for members of the armed forces of the United States of



1 America on active duty, to visit a state park, beach, state-  
2 owned forest, or other state-owned natural area or hike on a  
3 trail on state-owned land without first obtaining a license  
4 pursuant to this part.

5 (c) The department shall establish convenient  
6 opportunities for nonresidents to purchase a license, including  
7 through a mobile application and an internet website. The  
8 department may also establish a separate retail license program  
9 to enable retail establishments and nonprofit organizations to  
10 sell licenses.

11 (d) The initial visitor green fee shall be \$50 per person.

12 (e) The chairperson may adjust the visitor green fee by  
13 rule not more than once every five years, at the rate of the  
14 consumer price index change from July 1, 2024, compounded  
15 annually, and rounded to the nearest dollar.

16 (f) A license shall be in effect for a three hundred  
17 sixty-five day period, including the day of issuance.

18 (g) The department may adopt rules pursuant to chapter 91  
19 as necessary to effectuate the purposes of this section.

20 **§171-C Hawaii environmental legacy commission.** (a) There  
21 is established within the department the Hawaii environmental



1 legacy commission to guide the department's disbursement of the  
2 visitor green fee funds to achieve the 2030 Aloha+ challenge  
3 natural resource management targets, support conservation  
4 workforce development and economic diversification, and ensure  
5 stakeholder engagement, transparency, and effectiveness of the  
6 program.

7 (b) The commission shall be composed of the following  
8 voting members, to be appointed without need for confirmation by  
9 the senate:

- 10 (1) One representative of a nonprofit environmental  
11 organization with expertise in the protection,  
12 restoration, and care of terrestrial natural  
13 resources, to be appointed by the chairperson;
- 14 (2) One representative of a nonprofit environmental  
15 organization with expertise in the protection,  
16 restoration, and care of marine and coastal natural  
17 resources, to be appointed by the chairperson;
- 18 (3) One representative of a nonprofit environmental  
19 organization with expertise in climate change  
20 mitigation and resiliency, to be appointed by the  
21 chairperson;





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- 1           (4) Not more than two members who are staff of the  
2           department or its attached agencies, to be appointed  
3           by the chairperson;
- 4           (5) The director of the office of planning and sustainable  
5           development, or the director's designee;
- 6           (6) Not more than two representatives from the Native  
7           Hawaiian community who have expertise in the  
8           protection, restoration, care, and interpretation of  
9           native Hawaiian cultural resources, to be appointed by  
10          the chairperson;
- 11          (7) The president and chief executive officer of the  
12          Hawaii tourism authority, or the president and chief  
13          executive officer's designee;
- 14          (8) One youth representative between the ages of eighteen  
15          and twenty-five, inclusive, at the time of appointment  
16          that works or has worked in the field of environmental  
17          sustainability or restoration, to be appointed by the  
18          chairperson; and
- 19          (9) One representative from the visitor and tourism  
20          industry, to be appointed by the president and chief  
21          executive officer of the Hawaii tourism authority.



1 (c) Commission members shall annually elect a chair and  
2 vice-chair of the commission from among its members.

3 (d) The commission shall approve allocation of funding,  
4 including grants, from funds deposited in the special fund.  
5 Moneys deposited into the special fund shall be allocated for  
6 direct expenditure by state agencies and for grants for projects  
7 that directly support achievement of the 2030 Aloha+ challenge  
8 natural resource management target, including for projects with  
9 one or more of the following purposes:

10 (1) Protection, restoration, or enhancement of terrestrial  
11 or marine natural resources, or a combination thereof;  
12 provided that up to ten per cent of each grant awarded  
13 may be allocated for resource management to ensure the  
14 long-term sustainability of state natural resources;

15 (2) Enhancement of interpretive and educational facilities  
16 and programs related to the State's natural and  
17 cultural resources and the protection of those  
18 resources;

19 (3) Increase of resilience and adaptation of the State's  
20 natural resources with environmentally beneficial  
21 strategies to reduce the adverse impacts of climate



1 change, including coastal erosion, sea level rise,  
2 ocean acidification, coral bleaching, destruction of  
3 reefs, and other impacts; and

4 (4) Removal and control of invasive species and  
5 propagation and planting of native species.

6 (e) In awarding grants from the special fund, the  
7 commission shall prioritize projects that directly support  
8 achievement of the 2030 Aloha+ challenge natural resource  
9 management target and:

10 (1) Create jobs for Hawaii residents;

11 (2) Provide significant long-term protection, restoration,  
12 and enhancement of Hawaii's natural and cultural  
13 resources;

14 (3) Increase the enjoyability of participating in outdoor  
15 recreational activities for residents and visitors of  
16 the State;

17 (4) Involve local communities in the design,  
18 implementation, and long-term management of the  
19 project; and

20 (5) Protect, enhance, or restore natural resources that  
21 contribute to Native Hawaiian cultural practices and



1           that have demonstrated support from Native Hawaiian  
2           residents.

3           (f) The commission may adopt procedures and guidelines for  
4 the prioritization and allocation of moneys from the special  
5 fund, including direct grant or competitive grant processes;  
6 provided that the commission shall hold at least one hearing in  
7 each county to receive public comments before adopting grant  
8 guidelines.

9           (g) A simple majority of commission members shall  
10 establish a quorum necessary to approve allocations from the  
11 fund.

12           (h) The commission shall hold meetings in public  
13 consistent with chapter 92 and any other applicable laws. The  
14 commission may hold its meetings in person or online via the  
15 Internet, or a combination thereof.

16           (i) Commission members shall serve without compensation  
17 but may be reimbursed for reasonable expenses, including travel  
18 expenses, necessary for the performance of their duties.

19           (j) Beginning January 2026, the department shall publish  
20 an annual report, to be reviewed by the commission, no later  
21 than twenty days prior to the convening of each regular session



1 of the legislature on how the Hawaii environmental legacy  
2 special fund achieves the 2030 Aloha+ challenge natural resource  
3 management target and the benefits that accrue or will accrue  
4 from those expenditures to state residents, visitors, and  
5 natural resources.

6 §171-D Hawaii environmental legacy special fund. (a)

7 There is established in the state treasury a Hawaii  
8 environmental legacy special fund, into which shall be  
9 deposited:

10 (1) All proceeds from visitor green fees and licenses  
11 purchased pursuant to the visitor green fee program  
12 established under section 171-B;

13 (2) Appropriations made by the legislature; and

14 (3) Grants and gifts made to the special fund.

15 (b) Moneys deposited into the special fund shall be used  
16 and allocated as directed by the commission pursuant to section  
17 171-C(d) and (e) and as follows:

18 (1) At least fifty per cent per fiscal year shall be used  
19 for grants to local governments, nonprofit  
20 organizations, and community-based organizations;





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**Report Title:**

Department of Land and Natural Resources; Visitor Green Fee Program; Hawaii Environmental Legacy Commission; Special Fund

**Description:**

Requires Department of Land and Natural Resources to establish a visitor green fee program to collect fees from nonresidents via a license to use state natural resources, to be used for the protection, restoration, and care of Hawaii's natural, cultural, and outdoor recreational resources and build the resilience of these resources to the impacts of climate change and local threats. Establishes the Hawaii environmental legacy commission to guide the disbursement of visitor green fee program funds. Establishes the Hawaii environmental legacy special fund.

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

