

JAN 19 2024

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# A BILL FOR AN ACT

RELATING TO BURIAL SITES.

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

1           SECTION 1. The legislature finds that "cultural  
2 descendant," as defined in section 13-300-2, Hawaii  
3 Administrative Rules, does not accurately capture the fuller  
4 range of relationships of individuals and 'ohana to Native  
5 Hawaiian remains, including relationships that transcend the  
6 limited boundaries of an ahupua'a.

7           Therefore, the purpose of this Act is to direct the  
8 department of land and natural resources to amend the definition  
9 of "cultural descendant" in section 13-300-2, Hawaii  
10 Administrative Rules, to better capture the actual relationships  
11 of individuals and 'ohana to burials containing Native Hawaiian  
12 remains.

13           SECTION 2. The department of land and natural resources  
14 shall amend the definition of "cultural descendant" in  
15 section 13-300-2, Hawaii Administrative Rules, to mean: "with  
16 respect to non-Native Hawaiian skeletal remains, a claimant  
17 recognized by the department as being the same ethnicity, or



1 with respect to Native Hawaiian skeletal remains, a claimant  
2 recognized by the council after establishing genealogical  
3 connections to Native Hawaiian ancestors who once resided or are  
4 buried or both, in the same or neighboring ahupua'a, including  
5 'ili lele, the district in which certain Native Hawaiian skeletal  
6 remains are located or originated from, or in the same moku in  
7 which Native Hawaiian skeletal remains are located or originated  
8 from, with greater deference being afforded to lineal  
9 descendants and claimants who are most closely associated with  
10 the relevant burial site."

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

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INTRODUCED BY:



# S.B. NO. 2592

**Report Title:**

DLNR; State Historic Preservation Division; Hawaii  
Administrative Rules; Burial Sites; Native Hawaiians

**Description:**

Requires the Department of Land and Natural Resources to amend the definition of "cultural descendant", in HAR, to more accurately capture relationships between individuals and families.

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

