

JAN 24 2024

A BILL FOR AN ACT

RELATING TO PLANT CARE COMPONENTS.

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

1 SECTION 1. Chapter 141, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§141- Plant care components; fumigation; treatment;
5 certification; fees; restrictions. (a) The department of
6 agriculture:

7 (1) Shall certify plant care component treatments
8 performed within the State;

9 (2) May certify and permit entities to conduct plant care
10 component treatments;

11 (3) May establish fees for plant care component
12 treatments; and

13 (4) Shall deposit any fees collected pursuant to
14 paragraph (3) into the pest inspection, quarantine,
15 and eradication fund established pursuant to
16 section 150A-4.5.



1 (b) No person shall distribute within the State any plant
2 care component that originated from outside the State, unless
3 the component has been treated immediately after entering the
4 State, as certified by the department of agriculture.

5 (c) No person shall transport any plant care component:

6 (1) Between the islands of the State; or

7 (2) From within the State to outside the State,

8 without prior certification from the department of agriculture
9 that the component has been treated as required under this
10 section.

11 (d) For the purposes of this section:

12 "Plant care component" or "component" means any quantity of
13 soil, dirt, wood chips, compost, or filter socks.

14 "Treat" or "treatment" means fumigation or heat treatment."

15 SECTION 2. Section 150A-4.5, Hawaii Revised Statutes, is
16 amended by amending subsection (a) to read as follows:

17 "(a) There is established in the state treasury the pest
18 inspection, quarantine, and eradication fund, into which shall
19 be deposited:

20 (1) Legislative appropriations for biosecurity and

21 inspection, quarantine, and eradication services;



- 1 (2) Fees collected pursuant to section 141- (a) (3).
- 2 [~~(2)~~] (3) Service fees, charges, and penalties collected
- 3 under section 150A-5.3;
- 4 [~~(3)~~] (4) Fees imposed for services pursuant to this
- 5 chapter or rules adopted under this chapter;
- 6 [~~(4)~~] (5) Fines for violations of this chapter;
- 7 [~~(5)~~] (6) Federal funds received for biosecurity, pest
- 8 inspection, control, management, quarantine, and
- 9 eradication programs;
- 10 [~~(6)~~] (7) Grants and gifts;
- 11 [~~(7)~~] (8) All interest earned or accrued on moneys
- 12 deposited in the fund; and
- 13 [~~(8)~~] (9) Any other moneys made available to the fund."

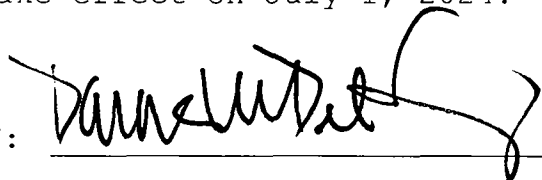
14 SECTION 3. This Act does not affect rights and duties that
 15 matured, penalties that were incurred, and proceedings that were
 16 begun before its effective date.

17 SECTION 4. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2024.

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INTRODUCED BY:





S.B. NO. 3365

Report Title:

HDOA; Soil; Fumigation; Heat Treatment; Restrictions; Fees

Description:

Requires the Department of Agriculture to certify treatments performed on soil, dirt, wood chips, compost, and filter socks. Authorizes the Department to establish fees. Places certain restrictions on the distribution or transportation of plant care components without prior treatment certification from the Department.

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

