

JAN 15 2025

A BILL FOR AN ACT

RELATING TO OWNERSHIP OF AGRICULTURAL LAND.

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

1 SECTION 1. The legislature finds that it is an objective
2 of the State to ensure that the agricultural industry continues
3 to constitute a dynamic and essential component of Hawaii's
4 strategic, economic, and social well-being. The legislature
5 further finds that small-scale locally owned farms in Hawaii are
6 crucial for boosting the local economy, preserving cultural
7 heritage, promoting food security, and minimizing environmental
8 impact by keeping money within the community, reducing reliance
9 on imported goods, and supporting sustainable agricultural
10 practices. However, there is growing concern in Hawaii that a
11 large portion of the State's agricultural lands are owned by
12 large corporations and businesses, leading to limited access for
13 small-scale producers, potential issues with land development
14 over farming, and a struggle for Native Hawaiians to regain
15 control of ancestral lands, which in turn can impact food
16 security and the sustainability of the local agricultural
17 industry.



1 Accordingly, the purpose of this Act is to promote the
2 conservation, protection, and sustainable development of the
3 State's agricultural resources by prohibiting certain entities
4 from owning, purchasing, or acquiring ownership of agricultural
5 lands.

6 SECTION 2. The Hawaii Revised Statutes is amended by
7 adding a new chapter to title 11 to be appropriately designated
8 and to read as follows:

9 "CHAPTER

10 **LIMITATIONS ON OWNERSHIP AND ACQUISITION OF AGRICULTURAL LANDS**

11 § -1 **Definitions.** As used in this chapter, unless the
12 context otherwise requires:

13 "Agricultural lands" means any real property within the
14 agricultural district classified pursuant to section 205-2.

15 "Family farm" means an unincorporated farm owned or leased
16 by one or more members of a family related to each other within
17 the third degree of consanguinity or affinity, including spouses
18 and in-laws.

19 "Family farm corporation" means a corporation incorporated
20 for the purpose of farming and the ownership of agricultural
21 land in which at least one-half of the voting stock is held by



1 and at least one-half of the stockholders are members of a
2 family related to each other within the third degree of
3 consanguinity or affinity, including spouses and in-laws, and at
4 least one of whose stockholders is a person residing on or
5 actively operating the farm.

6 "Real property" means lands, structures, and interests in
7 land and natural resources including water, minerals, and all
8 things connected with land, including lands under water and
9 riparian rights, space rights, air rights, and any and all other
10 things and rights usually included within the term. "Real
11 property" also means any and all interests in the property less
12 than full title, such as easements, incorporeal hereditaments,
13 and every estate, interest, or right, legal or equitable,
14 including terms for years and liens thereon by way of judgments,
15 mortgages, or otherwise.

16 § -2 **Restrictions; exemptions.** (a) Notwithstanding any
17 other law to the contrary, no corporation, limited liability
18 company, trust, partnership, or limited partnership shall,
19 either directly or indirectly, own, purchase, acquire, or
20 otherwise obtain or lease any agricultural lands in the State.



1 (b) The restrictions in this section shall not apply to
2 the following:

3 (1) A corporation, limited liability company, trust,
4 partnership, or limited partnership that owned or
5 acquired agricultural land before January 1, 2026;

6 (2) A bona fide family farm or family farm corporation;

7 (3) Agricultural land owned or leased by the federal
8 government, State, or counties and any political
9 subdivision, agency, or instrumentality, corporate or
10 otherwise, of the federal government, State, or
11 counties; or

12 (4) Agricultural land that is acquired by a trust company
13 or bank in a fiduciary capacity or as a trustee for a
14 nonprofit corporation."

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

16

INTRODUCED BY: 



S.B. NO. 245

Report Title:

Agricultural Lands; Real Property; Restrictions on Ownership;
Exemptions

Description:

Beginning 1/1/2026, prohibits certain entities from owning,
purchasing, or acquiring ownership of agricultural lands.

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