

**ACT 217**

H.B. NO. 2743

A Bill for an Act Relating to Wastewater.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. The legislature finds that Hawaii has approximately eighty-three thousand cesspools that discharge an estimated fifty million gallons of untreated sewage into the State's groundwater and surface waters every day. This antiquated technology threatens drinking water, increases the risk of human illness, and causes significant harm to streams and coastal resources, including coral reefs.

The legislature also finds that, although the counties are responsible for constructing and maintaining wastewater systems, the State presently does not

require the counties to develop wastewater management plans nor are the counties required to identify neighborhoods that could be connected to existing and planned wastewater treatment facilities.

Due to this lack of formal wastewater management planning, individual landowners, the counties, and the department of health currently do not know which cesspools are situated in areas that will eventually be connected with existing and proposed county wastewater facilities, and when those connections can be made. The legislature notes that although the university of Hawaii established the Hawaii cesspool prioritization tool to prioritize cesspools for connection and conversion, landowners and government agencies are currently unable to identify which priority cesspools are located in areas where wastewater facilities will be expanded. This lack of information makes it difficult for individuals currently served by cesspools to decide whether to invest in cesspool conversions or to wait to connect with existing or proposed county wastewater systems.

Accordingly, the purpose of this Act is to:

- (1) Require the university of Hawaii water resources research center and the university of Hawaii sea grant college program to develop an overlay with the Hawaii cesspool prioritization tool to identify specific priority areas in which the county sewer system or other centralized treatment system may most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050; and
- (2) Appropriate moneys to the university of Hawaii to develop the overlay.

The legislature declares that the actions required of the university of Hawaii water resources research center and sea grant college program pursuant to this Act are a matter of statewide concern.

SECTION 2. (a) The university of Hawaii water resources research center and the university of Hawaii sea grant college program shall develop an overlay with the Hawaii cesspool prioritization tool to identify specific priority areas in which the county sewer system or other centralized treatment system may most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050.

(b) In developing the overlay pursuant to this section, the university of Hawaii water resources research center and the university of Hawaii sea grant college program shall:

- (1) Consult with relevant stakeholders; and
- (2) Consider factors such as density of development, proximity to wastewater infrastructure, existing county plans, timing, cost, and any other factors deemed relevant and necessary.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$350,814 or so much thereof as may be necessary for fiscal year 2024-2025 for the university of Hawaii water resources research center and the sea grant college program to develop an overlay with the Hawaii cesspool prioritization tool to identify specific priority areas in which the county sewer system or other centralized treatment system may most feasibly be expanded or constructed to reduce or eliminate cesspools before January 1, 2050.

The sum appropriated shall be expended by the university of Hawaii for the purposes of this Act; provided that the moneys appropriated shall not lapse at the end of the fiscal biennium for which the appropriation is made; provided further that all moneys from the appropriation unencumbered as of June 30, 2026, shall lapse as of that date.

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**SECTION 4.** This Act shall take effect on July 1, 2024.  
(Approved July 8, 2024.)