



GOV. MSG. NO. 1316

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA

July 5, 2023

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Second State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki  
Speaker, and Members of the  
House of Representatives  
Thirty-Second State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 5, 2023, the following bill was signed into law:

HB307 HD1 SD1 CD1

RELATING TO AGRICULTURAL PARK  
LEASES.  
**ACT 213**

Sincerely,

Josh Green, M.D.  
Governor, State of Hawai'i

on JUL 5 2023

HOUSE OF REPRESENTATIVES  
THIRTY-SECOND LEGISLATURE, 2023  
STATE OF HAWAII

H.B. NO. 307  
H.D. 1  
S.D. 1  
C.D. 1

A BILL FOR AN ACT

RELATING TO AGRICULTURAL PARK LEASES.

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

1 SECTION 1. Section 166-11, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§166-11[+] Lease negotiation. (a) The department of  
4 agriculture may negotiate and enter into leases with any person  
5 who:

- 6 (1) As of July 1, 1996, holds a revocable permit for  
7 agricultural purposes; or
- 8 (2) Has formerly held an agricultural lease [~~which~~] that  
9 expired within the last ten years preceding July 1,  
10 1996, and has continued to occupy the state land; and
- 11 (3) Does not own agriculturally-zoned land of twenty-five  
12 acres or more in the State, individually or jointly  
13 with a spouse, or whose spouse does not own  
14 twenty-five acres or more of agriculturally-zoned land  
15 in the State.

16 (b) The land eligible for lease negotiations under this  
17 section are limited to those lands:



- 1 (1) Zoned and used for agricultural purposes;
- 2 (2) Set aside by governor's executive order to the  
3 department of agriculture for agricultural uses only;  
4 and
- 5 (3) Not needed by any state or county agency for any other  
6 public purpose.
- 7 (c) In negotiating and executing a lease as authorized,  
8 the board of agriculture shall:
- 9 (1) Require the appraisal of the parcel to determine the  
10 fair market value;
- 11 (2) Require the payment of annual lease rent based on the  
12 fair market value established by appraisal;
- 13 (3) Require the payment of a premium, computed at  
14 twenty-five per cent of the annual lease rent, with  
15 the premium to be added to the annual lease rent for  
16 each year of the lease equal to the number of years  
17 the lessee has occupied the land, except that the  
18 premium period shall not exceed four years; and
- 19 (4) Recover from the lessee the costs of expenditures  
20 required by the department to convert the parcel into  
21 leasehold.



1        (d) Within six months from July 1, 1996, the department  
2 shall notify in writing the permittees of lands eligible for  
3 lease negotiations under this section and shall inform the  
4 permittees of the terms, conditions, and restrictions provided  
5 by this section. Any permittee may apply for a lease; provided  
6 that the application shall be submitted to the department in  
7 writing within thirty days from the date of receipt of  
8 notification; provided further that the department may require  
9 documentary proof from any applicant to determine that the  
10 applicant meets eligibility and qualification requirements for a  
11 lease as specified by this section.

12        (e) Notwithstanding any other law to the contrary, if any  
13 lessee holds a lease having a remaining term of fifteen years or  
14 less, the department may extend the term of the lease for an  
15 additional thirty years; provided that the land covered by the  
16 lease is:

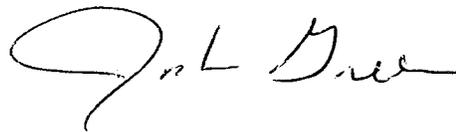
- 17        (1) Twenty-five acres or less; and  
18        (2) Located in a county having a population of less than  
19        five hundred thousand."

20        SECTION 2. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



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

APPROVED this 5th day of July , 2023



GOVERNOR OF THE STATE OF HAWAII



HB No. 307, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 2, 2023  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.

  
President of the Senate

  
Clerk of the Senate