

JAN 17 2025

A BILL FOR AN ACT

RELATING TO AGRICULTURAL BIOSECURITY.

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

1 SECTION 1. The legislature finds that the spread of
2 invasive species, such as axis deer and feral pigs, poses
3 significant threats to Hawaii's agricultural viability,
4 biosecurity, and ecosystems. Local livestock and crop farms are
5 particularly vulnerable to predation, crop damage, and disease
6 transmission facilitated by these invasive species.

7 Accordingly, the purpose of this Act is to require the
8 department of agriculture to establish and administer a
9 biosecurity fencing cost-sharing program to assist agricultural
10 operations in constructing or upgrading fencing infrastructure
11 to enhance biosecurity, mitigate invasive species impacts, and
12 support agricultural production, while incentivizing the
13 adoption of soil and water conservation district-approved
14 conservation plans.

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



1 "§141- Biosecurity fencing cost-sharing program;
2 reimbursement rates; eligibility; reporting; rules. (a) The
3 department shall establish and administer a biosecurity fencing
4 cost-sharing program to provide financial assistance to eligible
5 applicants for the installation, construction, repair, or
6 improvement of agricultural fencing to enhance biosecurity,
7 mitigate invasive species impacts, and protect agricultural
8 productivity. The program shall also incentivize the adoption
9 of approved conservation plans.

10 (b) The program shall reimburse eligible applicants for:
11 (1) Not less than fifty per cent of eligible expenses; or
12 (2) Up to per cent of eligible expenses; provided
13 that the applicant submits an approved conservation
14 plan pursuant to subsection (e) (2).

15 (c) The total amount of reimbursements for eligible
16 expenses disbursed to an eligible applicant shall not exceed
17 \$ in any fiscal year.

18 (d) To qualify for reimbursement of eligible expenses
19 pursuant to this section, applicants shall:
20 (1) Demonstrate active agricultural operations involving
21 livestock or crops;



- 1 (2) Submit an application with supporting documentation,
- 2 as required by the department, including:
- 3 (A) Proof of agricultural activity, such as a tax map
- 4 key designation or farm revenue records; and
- 5 (B) An approved conservation plan; provided that the
- 6 applicant is seeking the higher reimbursement
- 7 rate under subsection (b) (2); and
- 8 (3) Agree to submit a report that details the type and
- 9 length of any agricultural fencing installed,
- 10 constructed, repaired, or improved within thirty days
- 11 after the date of completion of the project.
- 12 (e) The department shall:
- 13 (1) Maintain records of all eligible applicants, including
- 14 the type and length of any agricultural fencing
- 15 installed, constructed, repaired, or improved; and
- 16 (2) Submit to the legislature no later than twenty days
- 17 prior to the convening of each regular session an
- 18 annual report containing:
- 19 (A) The total expenditures of the program;



1 (B) The total number of miles of agricultural fencing
2 installed, constructed, repaired, or improved;
3 and

4 (C) The impact of the program on invasive species
5 management and agricultural biosecurity in the
6 State.

7 The department shall not provide technical assistance in the
8 preparation of an application under subsection (e) (2) or
9 execution of a project under subsection (d) (2).

10 (f) To market the biosecurity fencing cost-sharing
11 program, the department shall:

12 (1) Develop and implement a public awareness campaign to
13 inform farmers of the program's availability; and

14 (2) Distribute relevant information through online
15 platforms, print materials, and agricultural
16 organizations.

17 (g) The department shall adopt rules pursuant to
18 chapter 91 necessary for the purposes of this section.

19 (h) For the purposes of this section:

20 "Agricultural fencing" means physical barriers, including
21 but not limited to fencing infrastructure made of any



1 combination of barbed wire, smooth wire, wooden posts, or
2 electrically charged fence wire, and other exclusionary barriers
3 for livestock or crop farms, that are designed to mitigate the
4 movement of invasive species and protect agricultural activity.
5 "Agricultural fencing" also includes stone fences, traditional
6 Hawaiian dry-set masonry also known as uhau humu pohaku, and
7 other culturally appropriate fencing methods for livestock or
8 crops.

9 "Approved conservation plan" means a conservation plan
10 approved by an applicable soil and water conservation district.

11 "Conservation plan" has the same meaning as defined in
12 section 180C-1.

13 "Department" means the department of agriculture.

14 "Eligible applicant" means any farmer or farm entity that
15 meets the eligibility criteria adopted by the department
16 pursuant to this section.

17 "Eligible expenses" includes the purchase of materials,
18 labor costs, and other costs deemed eligible by the department
19 for:

20 (1) The installation, construction, repair, or improvement
21 of agricultural fencing; and



1 (2) Projects designed to mitigate the movement of invasive
2 species and protect agricultural activity.

3 "Soil and water conservation district" has the same meaning
4 as defined in section 180-1."

5 SECTION 3. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$1,000,000 or so much
7 thereof as may be necessary for fiscal year 2025-2026 and the
8 same sum or so much thereof as may be necessary for fiscal year
9 2026-2027 for the establishment of the biosecurity fencing cost-
10 sharing program pursuant to section 141- , Hawaii Revised
11 Statutes.

12 The sums appropriated shall be expended by the department
13 of agriculture for the purposes of this Act.

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on July 1, 2025.

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INTRODUCED BY: *Keith M. Rusk* *yo*

S.B. NO. 523

Report Title:

DOA; Biosecurity Fencing Cost-Sharing Program; Agricultural Fencing Costs; Reimbursements; Appropriations

Description:

Requires the Department of Agriculture to establish and administer a Biosecurity Fencing Cost-Sharing Program. Appropriates funds.

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