
A BILL FOR AN ACT

RELATING TO IMPORTANT AGRICULTURAL LANDS.

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

1 SECTION 1. In 2005, the legislature enacted Act 183,
2 Session Laws of Hawaii 2005, implementing article XI, section 3,
3 of the state constitution regarding important agricultural
4 lands. Act 183 establishes policies and procedures for the
5 identification of important agricultural lands and provides for
6 a process to develop protection and incentive measures for
7 important agricultural lands and agricultural viability.

8 The purpose of this Act is to establish a five-year
9 moratorium on the development of agricultural lands located in
10 the State for which general planning has not commenced.

11 SECTION 2. (a) Notwithstanding any law to the contrary,
12 there is established a five-year moratorium on any building or
13 development project on agricultural lands located in the State;
14 provided that:

15 (1) The moratorium on building or development projects on
16 agricultural lands shall be limited to any building or



1 development project for which general planning has not
2 commenced;

3 (2) The building or development project is intended to
4 affect parcels of agricultural land with an overall
5 (master) productivity rating of class A or B, and
6 designated as an agricultural district;

7 (3) The building or development project is intended to
8 affect parcels of agricultural land located in the
9 State, and designated as an agricultural district; and

10 (4) The building or development project is not a
11 permissible use within an agricultural district under
12 section 205-4.5, Hawaii Revised Statutes.

13 (b) The moratorium shall be lifted on June 30, 2013.

14 (c) For purposes of this section, "general planning" means
15 projects for which planning, design, or construction has already
16 commenced.

17 SECTION 3. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun, before its effective date.

20 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Important Agricultural Lands; Development Projects; Moratorium

Description:

Establishes a five-year moratorium on the development of agricultural lands located in the State for which general planning has not commenced. Creates a sunset date of 6/30/2013.
(SD2)

