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# A BILL FOR AN ACT

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RELATING TO PESTICIDES.

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

1       SECTION 1. The legislature finds that providing a safe and  
2       lawful way to dispose of banned, outdated, or unwanted  
3       pesticides is critical to the State's environmental management  
4       efforts. While Hawaii prohibits the disposal of agricultural  
5       pesticides in sanitary landfills, no safe or legal alternatives  
6       for their disposal are currently offered.

7       The legislature recognizes that more than forty states have  
8       successfully created low-cost pesticide disposal collection  
9       programs to ensure that unwanted agricultural pesticides are  
10      safely discarded.

11      Accordingly, the purpose of this Act is to require the  
12      department of agriculture, in consultation with the department  
13      of health, to develop and implement a one-time, low-cost  
14      pesticide disposal collection program.

15      SECTION 2. (a) The department of agriculture, in  
16      consultation with the department of health, shall develop and  
17      implement a pesticide disposal collection program to provide a



1 one-time, affordable, and accessible means for bona fide  
2 agricultural entities and those that have inherited restricted  
3 use and nonrestricted use pesticides to dispose of pesticides  
4 through a pesticide disposal collection program.

5 (b) The department of agriculture shall establish on the  
6 islands of Hawaii, Kauai, Lanai, Maui, Molokai, and Oahu  
7 disposal locations for restricted use and nonrestricted use  
8 pesticides to effectuate the purposes of this Act. Each  
9 disposal location shall offer the opportunity for bona fide  
10 agricultural entities to dispose of restricted use and  
11 nonrestricted use pesticides for thirty days.

12 (c) The department of agriculture shall operate the  
13 pesticide disposal collection program as a free program to  
14 encourage the safe and legal disposal of restricted use and  
15 nonrestricted use pesticides; provided that the department of  
16 agriculture shall not charge a fee for the disposal, up to a  
17 maximum weight of fifty pounds, of restricted use pesticides or  
18 nonrestricted use pesticides.

19 (d) The department of agriculture shall implement the  
20 pesticide disposal collection program no later than June 30,



1 2023, and operate the program for a duration to be determined by  
2 the department of agriculture.

3 (e) For purposes of this part, "bona fide agricultural  
4 entity" means one or more individuals or a company, corporation,  
5 partnership, association, or other legal entity in the State  
6 that engages in or has engaged in an agricultural operation as  
7 defined in section 46-88(d), Hawaii Revised Statutes, provided  
8 that a bona fide agricultural entity shall include any  
9 successor, heir, or beneficiary that received from a bona fide  
10 agricultural entity any restricted use or nonrestricted use  
11 pesticide.

12 SECTION 3. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$800,000 or so much  
14 thereof as may be necessary for fiscal year 2022-2023 for  
15 establishing and operating the pesticide disposal collection  
16 program.

17 The sum appropriated shall be expended by the department of  
18 agriculture for the purposes of this Act.

19 SECTION 4. This Act shall take effect on July 1, 2022.



**Report Title:**

Pesticide Disposal Program; Steering Committee; Appropriation

**Description:**

Requires the Department of Agriculture, in consultation with the Department of Health, to develop and implement a one-time pesticide disposal collection program, for a duration to be determined by the department. Requires the Department of Agriculture to convene a steering committee to guide and monitor the pesticide disposal collection program. Makes an appropriation. (SD1)

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