



**GOV. MSG. NO. 1187**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

**JUN 17 2022**

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

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Thirty-First 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 **JUN 17 2022**, the following bill was signed into law:

HB1806 HD2 SD1

RELATING TO CESSPOOL CONVERSION.  
**ACT 087**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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## A BILL FOR AN ACT

RELATING TO CESSPOOL CONVERSION.

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

1 SECTION 1. Section 342D-72, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~[+] §342D-72 [.]~~ Cesspools; mandatory upgrade, conversion,  
4 or connection. (a) ~~[Prior to]~~ Before January 1, 2050, every  
5 cesspool in the State, excluding cesspools granted exemptions by  
6 the director of health pursuant to subsection (b), shall be:

7 (1) Upgraded or converted to ~~[a septic system or aerobic~~  
8 ~~treatment unit system;]~~ a director-approved wastewater  
9 system; or

10 (2) Connected to a sewerage system.

11 (b) The director of health may grant exemptions from the  
12 requirements of subsection (a) to property owners of cesspools  
13 that apply for an exemption and present documentation showing a  
14 legitimate reason that makes it infeasible to upgrade, convert,  
15 or connect the cesspools. For the purposes of this subsection,  
16 a legitimate reason shall include but not be limited to:

17 (1) Small lot size;



1 (2) Steep topography;

2 (3) Poor soils; or

3 (4) Accessibility issues.

4 (c) As used in this section[+

5 ~~"Aerobic treatment unit system" means an individual~~  
6 ~~wastewater system that consists of an aerobic treatment unit~~  
7 ~~tank, aeration device, piping, and a discharge method that is in~~  
8 ~~accordance with rules adopted by the department relating to~~  
9 ~~household aerobic units.~~

10 ~~"Cesspool"],~~ "cesspool" means an individual wastewater  
11 system consisting of an excavation in the ground whose depth is  
12 greater than its widest surface dimension, ~~[which]~~ that receives  
13 untreated wastewater, and retains or is designed to retain the  
14 organic matter and solids discharged into it, but permits the  
15 liquid to seep through its bottom or sides to gain access to the  
16 underground geographic formation.

17 ~~["Septic system" means an individual wastewater system that~~  
18 ~~typically consists of a septic tank, piping, and a drainage~~  
19 ~~field where there is natural biological decontamination as~~  
20 ~~wastewater discharged into the system is filtered through~~  
21 ~~soil.] "~~



- 1 SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.  
3 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 17 day of June , 2022



GOVERNOR OF THE STATE OF HAWAII



HB No. 1806, HD 2, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 21, 2022  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki  
Speaker  
House of Representatives

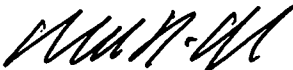


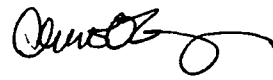
Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI‘I**

Date: April 8, 2022  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.

  
President of the Senate

  
Clerk of the Senate