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# A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

1           SECTION 1. The legislature finds that pesticide exposure  
2 can cause significant harm to public health and the environment.  
3 Restricted use pesticides have been deemed to have a high  
4 potential to cause harm to surrounding communities, farm  
5 workers, pollinators, the environment, and other crops. As  
6 such, comprehensive pesticide use data is essential to  
7 accurately assess risks and ensure that communities are  
8 protected from adverse impacts.

9           The legislature further finds that Act 45, Session Laws of  
10 Hawaii 2018, established requirements intended to address  
11 pesticide abuse in Hawaii, including requiring all users of  
12 restricted use pesticides to annually report on their use of  
13 restricted use pesticides to the department of agriculture.  
14 However, robust and meaningful analysis of environmental and  
15 public health impacts of pesticides is contingent on more  
16 comprehensive reporting.



1           The legislature also finds that currently, users are  
2 required to report the address, tax map key, and location of the  
3 application site but are not required to provide specific  
4 geospatial data that could provide comprehensive mapping of  
5 pesticide impacts. This poses difficulties to communities who  
6 live adjacent to large tracts of agricultural land. According  
7 to the state sponsored Joint Fact Finding Group study, Pesticide  
8 Use by Large Agribusinesses on Kaua'i (2016), "more information  
9 is needed about the time and place of applications along with  
10 greater oversight to ensure compliance on all Islands. Again,  
11 California appears to lead the nation in studies of chronic  
12 health effects and/or associations with pesticide use. They are  
13 able to reach this level of scientific inquiry because they  
14 require careful reporting of pesticide applications that specify  
15 what was sprayed, where, when, and in what quantities."  
16 Improved reporting in Hawaii can provide policymakers and public  
17 health experts with important data with which to make evidence-  
18 based decisions about pesticide use.

19           The purpose of this Act is to protect the health of  
20 Hawaii's environment and people and enable more informed public



1 health decision-making by improving reporting requirements for  
2 restricted use pesticides by:

3 (1) Requiring monthly rather than annual reporting of  
4 pesticide use;

5 (2) Amending the contents of the reports to include  
6 detailed geospatial information, site specific  
7 identifying information, and increased detail and  
8 uniformity in amount of product and chemical applied;  
9 and

10 (3) Requiring the department of agriculture to develop an  
11 online reporting tool for restricted use pesticides.

12 SECTION 2. Section 149A-26, Hawaii Revised Statutes, is  
13 amended to read as follows:

14 "~~§149A-26~~ **Post-application reporting of pesticide**

15 **use.** (a) [~~Beginning January 1, 2019, every~~] Every user of  
16 restricted use pesticides shall be subject to the requirement to  
17 submit to the department, for departmental use, [~~an annual~~] a  
18 monthly report of all use of restricted use pesticides as  
19 provided in this section.

20 (b) No later than thirty days following the end of each  
21 [~~calendar year,~~] month, every entity that uses restricted use



1 pesticides shall provide to the department a report of all  
2 restricted use pesticides used during the preceding calendar  
3 [~~year.~~] month.

4 (c) The department shall adopt rules pursuant to chapter  
5 91 requiring that the [~~annual~~] monthly reports include the  
6 following information:

7 (1) A listing, by federal and state registrations or  
8 permit numbers, commercial product names, and active  
9 ingredients, of all restricted use pesticides used;

10 (2) The total quantities used for each restricted use  
11 pesticide[~~],~~ listed by type in pounds of active  
12 ingredient applied and percentage of active ingredient  
13 found in any restricted use pesticide applied;

14 (3) A [~~general~~] detailed description of the geographic  
15 location, including, at a minimum[~~],~~ :

16 (A) Geospatial data and information up to an area of  
17 one square mile;

18 (B) Specific site information, including commodity or  
19 crop information; and

20 (C) [~~the~~] The tax map key number, at which the  
21 restricted use pesticides were used; and



1 (4) The date on which the restricted use pesticide  
2 application occurred."

3 SECTION 3. Section 149A-27, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[+]§149A-27[+] **Public reports; contents.** The department  
6 shall produce a summary, for public disclosure, by county, that  
7 includes:

- 8 (1) The total quantities used, by federal and state  
9 registrations or permit numbers, commercial product  
10 names, and active ingredients, for each restricted use  
11 pesticide used[~~;~~and], including a breakdown by type  
12 in pounds of active ingredient applied and percentage  
13 of active ingredient found in any restricted use  
14 pesticide applied;
- 15 (2) The amount of area in the county in which the  
16 restricted use application occurred[-];
- 17 (3) Geospatial data and information up to an area of one  
18 square mile where the restricted use application  
19 occurred; and



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1        (4) Specific site information, including commodity or crop  
2        information where the restricted use application  
3        occurred."

4        SECTION 4. The department of agriculture shall develop an  
5 online reporting tool for restricted use pesticide reporting  
6 pursuant to section 149A-26, Hawaii Revised Statutes.

7        SECTION 5. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9        SECTION 6. This Act shall take effect on July 1, 2023.

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INTRODUCED BY: \_\_\_\_\_



JAN 19 2023



# H.B. NO. 253

**Report Title:**

Pesticides; DOA; Restricted Use; Geospatial Data; Site Information; Reporting

**Description:**

Requires monthly rather than annual reporting of restricted use pesticides. Amends the contents of reports to include specific geospatial data and information, site information, and increased detail on the amount of restricted use pesticides used. Requires the department of agriculture to develop an online reporting tool for restricted use pesticides.

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