

JAN 25 2023

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A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

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

1           SECTION 1. Section 166E-2, Hawaii Revised Statutes, is  
2 amended by amending the definition of "non-agricultural park  
3 lands" to read as follows:

4           ""Non-agricultural park lands" means lands that are [~~not~~  
5 ~~designated as agricultural parks~~] transferred to and managed by  
6 the department pursuant to this chapter [166]."

7           SECTION 2. Act 221, Session Laws of Hawaii 2022, Section  
8 1, is amended by amending the definition of "agricultural  
9 enterprise lands" in Section   -2, Hawaii Revised Statutes, to  
10 read as follows:

11           ""Agricultural enterprise lands" means agricultural lands  
12 that are [~~not designated as agricultural parks or non-~~  
13 ~~agricultural park lands~~] transferred to and managed by the  
14 department pursuant to this chapter [166 or 166E]."

15           SECTION 3. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

**S.B. NO. 1268**

1 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

# S.B. NO. 1268

**Report Title:**

Agricultural Enterprise Lands Program; Non-Agricultural Park  
Lands Program

**Description:**

Makes technical changes to the statutory definitions of  
"agricultural enterprise lands" and "non-agricultural park  
lands" for clarification and consistency purposes.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

**SB NO. 1268**

DEPARTMENT: AGRICULTURE

TITLE: A BILL FOR AN ACT RELATING TO AGRICULTURAL LANDS.

PURPOSE: To amend the definitions of "agricultural enterprise lands" and "non-agricultural park lands" for consistency.

MEANS: Amend Act 221, Session Laws of Hawaii 2022, section 1 (section -2, Hawaii Revised Statutes (HRS)) and section 166E-2, HRS.

JUSTIFICATION: Act 221, Session Laws of Hawaii 2022 (Act 221), created the Agricultural Enterprise Program within the Hawaii Department of Agriculture (HDOA). Act 221 gives the HDOA the ability to lease lands managed by the HDOA for related agricultural activity, rather than solely for crop development and production. However, the definition of "agricultural enterprise lands" in Act 221 inadvertently created an inconsistency with the definition of "non-agricultural park lands" in chapter 166E, HRS. This bill remedies the inconsistency.

Impact on the public: None.

Impact on the department and other agencies: Provide consistency between the Agricultural Enterprise Program and Non-Agricultural Park Program.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: AGR 141.

**SB No. 1268**

OTHER AFFECTED  
AGENCIES:           None.

EFFECTIVE DATE:     Upon approval.