H.B. NO. **IS28**

A BILL FOR AN ACT

PROPOSING AN AMENDMENT TO ARTICLE I OF THE CONSTITUTION OF THE STATE OF HAWAII TO GUARANTEE ALL INDIVIDUALS THE RIGHT TO A CLEAN AND HEALTHY ENVIRONMENT.

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

1 SECTION 1. The purpose of this Act is to propose an 2 amendment to article I of the Constitution of the State of 3 Hawaii to guarantee all individuals the right to a clean and 4 healthy environment; the control of pollution; and the 5 conservation, protection, and enhancement of the natural, native, cultural, scenic, and healthful qualities of the 6 7 environment. The amendment proposed by this Act will complement existing constitutional provisions and increase protections for 8 9 human health and cultural and natural values of the environment 10 that are essential to support life in Hawaii.

SECTION 2. Article I of the Constitution of the State of Hawaii is amended by adding a new section to be appropriately designated and to read as follows:

14

"ENVIRONMENTAL RIGHTS

15

Section . Each person has a right to:



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1	(1)	A clean and healthy environment, including clean air,
2		clean and pure waters, fertile soils, healthy
3		ecosystems, living reefs and a stable climate;
4	(2)	The control of pollution; and
5	(3)	The conservation, protection and enhancement of the
6		natural, native, cultural, scenic and healthful
7		qualities of the environment.
8	This provision and the rights stated herein are self-executing.	
9	The reserved rights stated herein are on par with other	
10	protected inherent and inalienable rights and shall not be	
11	diminished through the interpretation or implementation of	
12	Article XI, Section 9."	
13	SECTION 3. The question to be printed on the ballot shall	
14	be as follows:	
15	"Shall the Constitution of the State of Hawaii be amended	
16	to provide that each person has a right to a clean and healthy	
17	environment; the control of pollution; and the conservation,	
18	protection, and enhancement of the natural, native, cultural,	
19	scenic, and healthful qualities of the environment?"	
20	SECT	ION 4. New constitutional material is underscored.



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1 SECTION 5. This amendment shall take effect upon 2 compliance with article XVII, section 3, of the Constitution of 3 the State of Hawaii. 4

INTRODUCED BY:

JAN - 9 2024



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Report Title:

Constitutional Amendment; Environmental Protection

Description:

Proposes a constitutional amendment that guarantees individuals the right to a clean and healthy environment; the control of pollution; and the conservation, protection, and enhancement of the natural, native, cultural, scenic, and healthful qualities of the environment.

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

