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## A BILL FOR AN ACT

RELATING TO CESSPOOLS.

**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, or**  
4 **connection.** (a) Before January 1, 2050, every cesspool in the  
5 State, excluding cesspools described in subsection (b) and  
6 cesspools granted exemptions by the director of health pursuant  
7 to subsection [~~(b)~~,] (c), shall be:

8 (1) Upgraded or converted to a director-approved  
9 wastewater system; or

10 (2) Connected to a sewerage system.

11 (b) Before January 1, 2030, every cesspool that is  
12 attached to or used by any form of housing or lodging that  
13 provides transient accommodations in the State, excluding  
14 cesspools granted exemptions by the director of health pursuant  
15 to subsection (c), shall be:

16 (1) Upgraded or converted to a director-approved  
17 wastewater system; or



1           (2) Connected to a sewerage system.

2           ~~[(b)]~~ (c) The director of health may grant exemptions from  
3 the requirements of ~~[subsection]~~ subsections (a) and (b) to  
4 property owners of cesspools that apply for an exemption and  
5 present documentation showing a legitimate reason that makes it  
6 infeasible to upgrade, convert, or connect the cesspools. For  
7 the purposes of this subsection, a legitimate reason shall  
8 include but not be limited to:

- 9           (1) Small lot size;
- 10          (2) Steep topography;
- 11          (3) Poor soils; or
- 12          (4) Accessibility issues.

13          ~~[(e)]~~ (d) As used in this section ~~[, "cesspool"]~~:

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



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1        "Transient accommodations" has the same meaning as in  
2 section 237D-1."

3        SECTION 2. Statutory material to be repealed is bracketed  
4 and stricken. New statutory material is underscored.

5        SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: Leo A. Cicci

JAN 18 2024



# H.B. NO. 1759

**Report Title:**

Cesspools; Transient Accommodations; Upgrade, Conversion, Connection

**Description:**

Requires cesspools attached to or used by housing or lodging that provides transient accommodations to be upgraded, converted, or connected to a sewerage system before 1/1/2030.

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

