
A BILL FOR AN ACT

RELATING TO ENVIRONMENTAL PROTECTION.

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

1 SECTION 1. The legislature finds that the use of chemical-
2 based sunscreen is detrimental to the health of Hawaii's coral
3 reef ecosystems. The National Ocean Service finds that the
4 chemicals in both lotion and aerosol sunscreens can impair the
5 growth of plants, stunt and deform animals, and contribute to
6 the bleaching of coral. In 2018, the legislature passed Senate
7 Bill No. 2571, S.D. 2, H.D. 2, C.D. 1, signed into law as Act
8 104, that bans the sale, offer for sale, or distribution of any
9 sunscreen in the State that contains oxybenzone or octinoxate,
10 or both, without a medically-licensed prescription. Recently,
11 there have been additional efforts to expand the ban to include
12 more chemicals, such as avobenzone and octocrylene, that
13 negatively impact Hawai'i's fragile coral reefs. However,
14 opponents have expressed concerns with limited stock of approved
15 sunscreens available on island for consumers, which has halted
16 efforts to further protect Hawaii's coral reefs.



1 The legislature further finds that an alternative mineral-
2 based sunscreen exists that protects consumers from skin cancer
3 and does not harm the reef ecosystems. The first dispenser of
4 this sunscreen in a Hawaii state park was established in
5 November 2021 at the Waialae section of Hapuna state recreation
6 area on the west coast of Hawaii island. The legislature also
7 finds that the deployment of sunscreen dispensers at state
8 beaches will ease the burden of securing reef-safe sunscreens
9 for use by residents and visitors alike, as well as further
10 protect Hawaii's coral reef ecosystems.

11 The purpose of this Act is to:

- 12 (1) Expand the use of the mineral-based sunscreen
13 dispensers to all state beaches to decrease the amount
14 of chemicals impacting Hawaii's reef ecosystems; and
15 (2) Authorize the department of land and natural resources
16 to contract or form a partnership with private
17 parties, such as hotels, community organizations, and
18 nonprofit organizations with an environmental
19 protection mission, to assist in the maintenance and
20 management of installed mineral-based sunscreen
21 dispensers at state beaches, as well as publicize that



1 the mineral-based sunscreen in these dispensers is
2 more protective of the coral reefs of the State.

3 SECTION 2. The department of land and natural resources
4 may contract or form a partnership with private parties,
5 including hotels, community organizations, and nonprofit
6 organizations with an environmental protection mission, to
7 assist in the maintenance, management, and operation of
8 installed mineral-based sunscreen dispensers at all state
9 beaches, as well as publicize that the mineral-based sunscreen
10 in these dispensers is more protective of the coral reefs of the
11 State.

12 SECTION 3. In accordance with section 9 of article VII of
13 the Hawaii State Constitution and sections 37-91 and 37-93,
14 Hawaii Revised Statutes, the legislature has determined that the
15 appropriations contained in Act 164, Regular Session of 2023,
16 and this Act will cause the state general fund expenditure
17 ceiling for fiscal year 2024-2025 to be exceeded by
18 \$ or per cent. This current declaration takes
19 into account general fund appropriations authorized for fiscal
20 year 2024-2025 in Act 164, Regular Session of 2023, and this Act



1 only. The reasons for exceeding the general fund expenditure
2 ceiling are that:

3 (1) The appropriation made in this Act is necessary to
4 serve the public interest; and

5 (2) The appropriation made in this Act meets the needs
6 addressed by this Act.

7 SECTION 4. There is appropriated out of the general
8 revenues of the State of Hawaii the sum of \$100,000 or so much
9 thereof as may be necessary for fiscal year 2024-2025 for the
10 department of land and natural resources to install, maintain,
11 manage, and operate mineral-based sunscreen dispensers at all
12 state beaches.

13 The sum appropriated shall be expended by the department of
14 land and natural resources for the purposes of this Act.

15 SECTION 5. This Act shall take effect on July 1, 2024.



Report Title:

DLNR; Non-Chemical Sunscreen Dispensers; State Beaches;
Expenditure Ceiling; Appropriation

Description:

Appropriates funds for the installation, maintenance, management, and operation of non-chemical sunscreen dispensers on all state beaches. Allows the Department of Land and Natural Resources to contract or form a partnership with private parties to assist with the maintenance and management of sunscreen dispensers at all state beaches, as well as publicize that the mineral-based sunscreen in these dispensers is more protective of the coral reefs of the State. Declares that the general fund expenditure ceiling is exceeded. Makes an appropriation. (SD1)

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