
A BILL FOR AN ACT

RELATING TO PLANT CARE COMPONENTS.

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

1 SECTION 1. Chapter 141, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§141- Plant care components; fumigation; treatment;
5 certification; fees; restrictions. (a) The department of
6 agriculture:

7 (1) Shall certify plant care component treatments
8 performed within the State;

9 (2) May certify and permit entities to conduct plant care
10 component treatments before shipment; and

11 (3) Shall deposit any fees collected for certifications of
12 plant care component treatment pursuant to section
13 150A-21 into the pest inspection, quarantine, and
14 eradication fund established pursuant to section
15 150A-4.5.

16 (b) No person shall distribute within the State any plant
17 care component that originated outside the State, unless the



1 plant care component has been treated immediately after entering
2 the State, as certified by the department of agriculture.

3 (c) No person shall transport any plant care component:

4 (1) Between the islands of the State; or

5 (2) From a location within the State to a location outside
6 the State,

7 without prior certification from the department of agriculture
8 that the component has been treated pursuant to this section;
9 provided that the component shall be stored in a manner to
10 prohibit infestation post-treatment.

11 (d) For the purposes of this section:

12 "Filter sock" means a mesh tube that contains organic plant
13 material, which is used for erosion control.

14 "Plant care component" or "component" means any quantity of
15 wood chips, compost, or filter socks.

16 "Treat" or "treatment" means fumigation or heat treatment."

17 SECTION 2. Section 150A-4.5, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) There is established in the state treasury the pest
20 inspection, quarantine, and eradication fund, into which shall
21 be deposited:



1 (1) Legislative appropriations for biosecurity and
2 inspection, quarantine, and eradication services;

3 (2) Fees collected pursuant to section 141- (a) (3);

4 [~~(2)~~] (3) Service fees, charges, and penalties collected
5 under section 150A-5.3;

6 [~~(3)~~] (4) Fees imposed for services pursuant to this
7 chapter or rules adopted under this chapter;

8 [~~(4)~~] (5) Fines for violations of this chapter;

9 [~~(5)~~] (6) Federal funds received for biosecurity, pest
10 inspection, control, management, quarantine, and
11 eradication programs;

12 [~~(6)~~] (7) Grants and gifts;

13 [~~(7)~~] (8) All interest earned or accrued on moneys
14 deposited in the fund; and

15 [~~(8)~~] (9) Any other moneys made available to the fund."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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



Report Title:

DOA; Plant Care Components; Filter Socks; Fumigation; Heat Treatment; Restrictions; Fees

Description:

Requires the Department of Agriculture to certify treatments performed on wood chips, compost, and filter socks. Places certain restrictions on the distribution or transportation of plant care components without prior treatment certification from the Department. (CD1)

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