

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



GOV. MSG. NO. 1298

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

June 6, 2025

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Third State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Nadine Nakamura
Speaker, and Members of the
House of Representatives
Thirty-Third State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on June 6, 2025, the following bill was signed into law:

H.B. NO. 736, H.D. 1,
S.D. 1, C.D. 1

RELATING TO WASTEWATER SYSTEMS.
ACT 198

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.
Governor, State of Hawai'i

Approved by the Governor

on JUN 6 2025

HOUSE OF REPRESENTATIVES
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

ACT 198
H.B. NO. 736
H.D. 1
S.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO WASTEWATER SYSTEMS.

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

1 SECTION 1. The legislature finds that the health of
2 Hawaii's people and quality of Hawaii's waters are being harmed
3 by pollution from cesspools. Hawaii has more than eighty
4 thousand cesspools that discharge about fifty million gallons of
5 wastewater into the State's groundwater every day. Cesspools
6 are antiquated, substandard systems that damage public health;
7 pollute drinking water; and lower water quality in streams,
8 groundwater, nearshore marine areas, and the ocean. Cesspool
9 pollution also harms public recreation and the precious coral
10 reefs on which Hawaii's economy, shoreline, fisheries, and
11 native species depend. To protect the public health and
12 environment, cesspools should be replaced by connecting homes to
13 sewerage systems or, in areas that are too remote to be feasibly
14 connected, upgraded either with individual on-site wastewater
15 disposal systems or cluster wastewater treatment systems.

16 To address the State's cesspool pollution, Act 125, Session
17 Laws of Hawaii 2017, required all cesspools to be upgraded or



1 converted to a septic system or aerobic treatment unit system or
2 connected to a sewerage system before January 1, 2050, with
3 certain exemptions. In recognition of other possible
4 alternative systems, Act 87, Session Laws of Hawaii 2022,
5 amended the law to instead require that every cesspool in the
6 State, excluding cesspools granted exemptions by the director of
7 health, shall be upgraded or converted to "a director-approved
8 wastewater system" or connected to a sewerage system.

9 The legislature additionally finds it is critical that
10 cesspool conversions be affordable for homeowners and government
11 entities, as traditional individual wastewater systems may not
12 be the best, most affordable solutions, especially where
13 substantial excavation and large absorption beds are required.
14 The costs of such systems generally exceed \$25,000 and can be
15 even more expensive in some locations.

16 The legislature also finds that new wastewater technologies
17 and management solutions may improve public health and the
18 environment, especially the protection of fragile coral reefs,
19 more affordably than some traditional individual wastewater
20 systems. Technologies that are reaching a commercial scale for
21 the first time include solutions for individual homes, as well



1 as multi-unit dwellings, apartment buildings, and entire
2 communities. At the neighborhood or municipal scale, these
3 technologies could effectively treat sewage from entire
4 communities for lower costs than existing technology now
5 employed in Hawaii.

6 Therefore, new technologies need to be tested in order to
7 be certified by the department of health for use in Hawaii. The
8 university of Hawaii's water resources research center has
9 experience in such testing, and their guidance and studies could
10 facilitate the department of health's certifications. However,
11 in order to do such work, the university of Hawaii's water
12 resources research center would need funding for a full-time
13 coordinator, administrative efforts, and infrastructure and
14 equipment costs for testing and analyses.

15 Additionally, maintaining the cleanliness of the State's
16 waters is a matter of statewide concern that falls under the
17 legislature's obligation to enact laws pursuant to article XI,
18 section 7, of the Hawaii State Constitution, and pursuant to the
19 exclusive jurisdiction of the legislature to identify laws of
20 statewide concern, granted under article X, section 6 of the



1 Hawaii State Constitution, the legislature finds that this Act
2 is a matter of statewide concern.

3 The purpose of this Act is to facilitate the certification
4 of new wastewater and individual wastewater system technologies
5 in Hawaii that could reduce the costs of cesspool conversions by
6 establishing and appropriating funds for a new wastewater system
7 technology testing pilot program within the university of Hawaii
8 water resources research center.

9 SECTION 2. (a) There is established a three-year new
10 wastewater system and individual wastewater system technology
11 testing pilot program within the university of Hawaii water
12 resources research center.

13 (b) The university of Hawaii water resources research
14 center, in coordination with the university of Hawaii sea grant
15 college program and college of engineering, department of
16 health, department of Hawaiian home lands, and all appropriate
17 county agencies, shall:

18 (1) Test new wastewater technology systems and review and
19 evaluate the affordability, feasibility, and
20 efficiency of the treatment technologies; and



1 (2) Document, validate, and summarize the various tests,
2 research, and outcomes of each test of wastewater
3 systems and individual wastewater systems and submit
4 results of the tests to the department of health.

5 (c) The university of Hawaii water resources research
6 center shall submit an annual interim report to the legislature
7 no later than twenty days prior to the convening of each regular
8 session for the duration of the pilot program and a final report
9 to the legislature no later than twenty days prior to the
10 convening of the regular session of 2028. The reports shall
11 include:

- 12 (1) Information on the new wastewater technologies
13 reviewed and tested and test results;
- 14 (2) Recommendations on how to improve the efficiency of
15 the pilot program;
- 16 (3) Whether the pilot program should be made permanent;
17 and
- 18 (4) Any other recommendations that the university of
19 Hawaii water resources research center deems
20 appropriate.



1 (d) The pilot program shall cease to exist on June 30,
2 2028.

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$745,325 or so much
5 thereof as may be necessary for fiscal year 2025-2026 to
6 implement the new wastewater system and individual wastewater
7 system technology testing pilot program established pursuant to
8 this Act.

9 The sum appropriated shall be expended by the university of
10 Hawaii for the purposes of this Act.

11 SECTION 4. This Act shall take effect on July 1, 2025.



H.B. NO. 736
H.D. 1
S.D. 1
C.D. 1

APPROVED this 6th day of June, 2025

A handwritten signature in black ink, appearing to read "Josh Green". The signature is fluid and cursive, with a large initial "J" and "G".

GOVERNOR OF THE STATE OF HAWAII

HB No. 736, HD 1, SD 1, CD 1

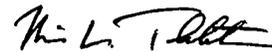
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2025
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2025.



Nadine K. Nakamura
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 30, 2025
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2025.


President of the Senate


Clerk of the Senate