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# A BILL FOR AN ACT

RELATING TO WASTEWATER.

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

1           SECTION 1. The legislature finds that existing  
2 administrative rules allow an individual wastewater system to  
3 serve no more than five bedrooms, whether the five bedrooms are  
4 in one dwelling unit or two dwelling units. However, the  
5 definition of a dwelling unit under chapter 62, Hawaii  
6 Administrative Rules, does not clearly consider the varied types  
7 of development, such as dwelling units that may have exterior  
8 bedrooms without a kitchen or guest houses with a bathroom but  
9 without a kitchen. Certain dwelling units may be prohibited  
10 from using an individual wastewater system solely because the  
11 bedrooms are outside the dwelling unit.

12           Therefore, the purpose of this Act is to allow an  
13 individual wastewater system to serve up to five bedrooms,  
14 regardless of the number of dwellings, dwelling units, or  
15 accessory units, whether the dwellings, dwelling units, or  
16 accessory units are attached or detached, with certain  
17 exclusions.



1 SECTION 2. Chapter 342D, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§342D- Individual wastewater system; dwelling units.

5 An individual wastewater system may serve up to five bedrooms,  
6 regardless of the number of:

7 (1) Dwellings or dwelling units; or

8 (2) Accessory units as defined by the counties,

9 whether the dwellings, dwelling units, or accessory units are  
10 attached or detached; provided that this section shall not apply  
11 to any new requests to connect additional dwelling units to an  
12 existing cesspool."

13 SECTION 3. New statutory material is underscored.

14 SECTION 4. This Act shall take effect on December 31,  
15 2050.



**Report Title:**

Individual Wastewater Systems; Dwellings; Dwelling Units;  
Accessory Units; Cesspools

**Description:**

Allows an individual wastewater system to serve up to five bedrooms, regardless of the number of dwellings, dwelling units, or accessory units, whether attached or detached, with certain exclusions. Effective 12/31/2050. (SD1)

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

