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# A BILL FOR AN ACT

RELATING TO CESSPOOL CONVERSIONS.

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

1           SECTION 1. The legislature finds that all cesspools are  
2 required to be upgraded or converted to a wastewater system  
3 approved by the director of health or connected to a sewerage  
4 system by 2050. The legislature further finds that Act 153,  
5 Session Laws of Hawaii 2022, established a cesspool compliance  
6 pilot grant project to assist certain low- and moderate-income  
7 property owners, including lessees on Hawaiian home lands, with  
8 the costs of upgrading or converting cesspools. However,  
9 although certain property owners may be eligible for grant  
10 funding, it may not be sufficient to cover all upgrade or  
11 conversion costs. The legislature also finds that the  
12 appropriation under Act 153 lapsed as of June 30, 2024.

13           The purpose of this Act is to:

- 14           (1) Increase the maximum grant amount for the cesspool  
15                compliance pilot grant project; and  
16           (2) Appropriate funds for the cesspool compliance pilot  
17                grant project.



1 SECTION 2. Act 153, Session Laws of Hawaii 2022, is  
2 amended by amending section 2 as follows:

3 1. By amending subsection (b) to read:

4 "(b) The department of health shall not grant awards to  
5 any owner of real property with a cesspool or lessee on Hawaiian  
6 home lands with a cesspool unless:

7 (1) The cesspool is located in an area identified as  
8 priority level 1 or 2 in the University of Hawaii's  
9 [2021] 2022 Hawaii cesspool [~~hazard assessment and~~  
10 prioritization tool;

11 (2) The owner or lessee provides the department with the  
12 tax return required by this section; and

13 (3) An application, the form of which shall be decided by  
14 the department, is submitted and deemed completed by  
15 the department of health."

16 2. By amending subsections (e) and (f) to read:

17 "(e) The owner or lessee shall provide the department of  
18 health with the following before a grant may be awarded:

19 (1) Design plans prepared by a licensed engineer for a  
20 wastewater system that complies with chapter 11-62,  
21 Hawaii Administrative Rules;



1 (2) A licensed engineer's final construction inspection  
2 report with photos and as built plans and  
3 certification that the system was constructed in  
4 accordance with the design plans approved by the  
5 director of health;

6 (3) A copy of an approval to use letter of the wastewater  
7 system issued by the director of health; and

8 (4) Receipts of payment made to the licensed engineer  
9 [and], licensed contractor[-], and wastewater and  
10 plumbing supply companies registered with the  
11 department of commerce and consumer affairs.

12 (f) The department of health shall grant awards not to  
13 exceed [~~\$20,000~~] \$\_\_\_\_\_ based on receipts of payment  
14 submitted under subsection (e)(4); provided that cesspools that  
15 have been upgraded or converted to a director of health-approved  
16 wastewater system before the passing of this Act shall not be  
17 eligible for this grant."

18 3. By amending subsection (h) to read:

19 "(h) The department of health shall submit to the  
20 legislature a report on the pilot grant project, including any  
21 findings and recommendations, and any proposed legislation, no



1 later than twenty days prior to the convening of the regular  
2 [~~session~~] sessions of 2024[-] and 2026."

3 SECTION 3. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$ or so  
5 much thereof as may be necessary for fiscal year 2025-2026 and  
6 the same sum or so much thereof as may be necessary for fiscal  
7 year 2026-2027 to fund the cesspool compliance pilot grant  
8 project.

9 The sums appropriated shall be expended by the department  
10 of health for the purposes of this Act.

11 SECTION 4. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$ or so  
13 much thereof as may be necessary for fiscal year 2025-2026 and  
14 the same sum or so much thereof as may be necessary for fiscal  
15 year 2026-2027 to establish three full-time equivalent (3.0 FTE)  
16 permanent positions within the department of health for the  
17 purposes of this Act.

18 The sums appropriated shall be expended by the department  
19 of health for the purposes of this Act.

20 SECTION 5. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 6. This Act shall take effect on December 31,  
2 2050.



**Report Title:**

Cesspool Compliance Pilot Grant Project; Appropriations

**Description:**

Increases the maximum grant amount for the Cesspool Compliance Pilot Grant Project. Appropriates funds. Effective 12/31/2050.  
(SD1)

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