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# A BILL FOR AN ACT

RELATING TO TREES.

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

1           SECTION 1. (a) There shall be established a fruit tree  
2 harvest pilot program within the districts outlined in section  
3 4-1(4)(D) and (E), Hawaii Revised Statutes, to plant fruit trees  
4 on new and newly renovated state landscaping projects for public  
5 harvest.

6           (b) When a state agency creates plans, designs, or  
7 specifications for new or renovated landscaping within the  
8 districts described in subsection (a) that integrate the  
9 planting of trees as part of any building, complex of buildings,  
10 facility, complex of facilities, housing, public highway, or  
11 other landscaping that includes trees, the state agency, to the  
12 extent practicable, shall plant trees that bear edible fruit.

13           (c) Any person may harvest fruit from a fruit tree planted  
14 pursuant to this pilot program and the State shall not require  
15 any permit or license to harvest fruit from trees planted  
16 pursuant to this pilot program; provided that this pilot program  
17 shall not be construed to bar the State from prohibiting any



1 person from trespassing on state lands or otherwise exercising  
2 its authority as a property owner pursuant to any other law or  
3 rule.

4 (d) The State and its political subdivisions, agencies,  
5 officials, and employees shall not be liable for any civil  
6 damages or criminal penalties resulting from any injuries or  
7 illnesses arising from the harvesting or ingesting of fruit  
8 under this pilot program, including injuries or illnesses  
9 resulting from food-borne illnesses.

10 (e) The fruit tree harvest pilot program shall cease to  
11 exist on July 30, 2027.

12 SECTION 2. All state agencies that plant fruit trees  
13 pursuant to the fruit tree harvest pilot program shall  
14 collaborate to submit a report of their findings and  
15 recommendations on the pilot program, including any proposed  
16 legislation and whether the program should be extended or  
17 expanded statewide, to the legislature no later than twenty days  
18 prior to the convening of the regular session of 2027.

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1 SECTION 3. This Act shall take effect January 1, 2491.

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# S.B. NO. <sup>2</sup> S.D. 1

**Report Title:**

Fruit Tree Harvest Pilot Program; Landscaping; Fruit Trees; Harvest; Indemnification; Report

**Description:**

Establishes a two-year Fruit Tree Harvest Pilot Program. Requires state agencies, to the extent practicable, to plant fruit trees in new or renovated landscaping that includes trees within the boundaries of the program. Authorizes persons to harvest fruit from those fruit trees. Provides that the State is not liable for any injuries or illnesses resulting from the harvesting or ingesting of fruit, including food-borne illness. Requires a report to the Legislature. Effective 1/1/2491.  
(SD1)

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

