
A BILL FOR AN ACT

RELATING TO BED BUGS.

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

1 SECTION 1. The legislature finds that bed bugs, *cimex*
2 *lectularius*, are bloodsucking insects that typically feed at
3 night and hide in warm sheltered areas, such as bedrooms. The
4 United States Department of Agriculture, Environmental
5 Protection Agency, and the Centers for Disease Control and
6 Prevention consider bed bugs a public health pest. According to
7 these agencies, there is a resurgence in the population of bed
8 bugs in the United States, which is likely associated with the
9 increased resistance of bed bugs to available pesticides,
10 increased domestic and international travel, lack of knowledge
11 regarding bed bug control, and the decline or elimination of
12 effective vector and pest control programs. While bed bugs have
13 not been shown to transmit disease, they can cause negative
14 physical health, mental health, and economic consequences,
15 including allergic reactions to bites, anxiety and insomnia, and
16 use of financial resources to contain infestations.



1 The legislature further finds that more than twenty states
2 have laws or regulations specific to bed bugs. Hawai'i's
3 landlord-tenant laws, however, do not explicitly address bed
4 bugs.

5 The purpose of this Act is to specify that a bed bug
6 infestation is a violation of the implied warranty of
7 habitability and require landlords to ensure that the dwelling
8 unit premises is free of bed bugs at all times during the
9 tenancy.

10 SECTION 2. Section 521-42, Hawaii Revised Statutes, is
11 amended by amending subsection (a) to read as follows:

12 "(a) The landlord shall at all times during the tenancy:

13 (1) Comply with all applicable building and housing laws
14 materially affecting health and safety;

15 (2) Keep common areas of a multi-dwelling unit premises in
16 a clean and safe condition;

17 (3) Make all repairs and arrangements necessary to put and
18 keep the premises in a habitable condition;

19 (4) Maintain all electrical, plumbing, and other
20 facilities and appliances supplied by the landlord in



1 good working order and condition, subject to
2 reasonable wear and tear;

3 (5) Ensure that the premises is free of bed bugs;

4 [~~5~~] (6) Except in the case of a single family residence,
5 provide and maintain appropriate receptacles and
6 conveniences for the removal of normal amounts of
7 rubbish and garbage, and arrange for the frequent
8 removal of such waste materials; and

9 [~~6~~] (7) Except in the case of a single family residence,
10 or where the building is not required by law to be
11 equipped for the purpose, provide for the supplying of
12 running water as reasonably required by the tenant.

13 [~~Prior to~~] Before the initial date of initial occupancy,
14 the landlord shall inventory the premises and make a written
15 record detailing the condition of the premises and any
16 furnishings or appliances provided. Duplicate copies of this
17 inventory shall be signed by the landlord and by the tenant and
18 a copy given to each tenant. In an action arising under this
19 section, the executed copy of the inventory shall be presumed to
20 be correct. If the landlord fails to make [~~such~~] an inventory
21 and written record, the condition of the premises and any



1 furnishings or appliances provided, upon the termination of the
2 tenancy shall be rebuttably presumed to be the same as when the
3 tenant first occupied the premises."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Bed Bugs; Landlords; Tenancy

Description:

Requires landlords to ensure that the dwelling unit premises is free of bed bugs at all times during the tenancy. (SD1)

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