

JAN 17 2025

A BILL FOR AN ACT

RELATING TO PLANT-BASED FOOD AND DRINKS.

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

1 SECTION 1. The legislature finds that in 2021, the State
2 became the first state to declare a climate emergency. In a
3 press release on December 8, 2023, the United Nations
4 Environment Programme reported that "[t]he animal agriculture
5 industry is a major driver of climate change," accounting for up
6 to twenty per cent of global greenhouse gas emissions.

7 The legislature further finds that jurisdictions that have
8 adopted plant-based-by-default policies have reported
9 significant reductions in their negative impacts to climate
10 change. Accordingly, the State can more efficiently respond to
11 climate change and the climate emergency by reducing
12 governmental preferences for animal-based food and drinks and by
13 establishing plant-based food and drinks as the default choices
14 at state-operated prisons, state-licensed hospitals, and
15 government-sponsored events.

16 The legislature believes that a plant-based-by-default
17 policy for state-operated prisons, state-licensed hospitals, and



1 government-sponsored events provides many additional benefits to
2 the State, including:

- 3 (1) Significant savings of taxpayer money;
- 4 (2) The promotion of traditional Hawaiian environmental,
5 dietary, and cultural practices;
- 6 (3) The advancement of public health, including reduction
7 in dietary risk factors for diabetes, cardiovascular
8 disease, and cancer; and
- 9 (4) An increase in the demand for and consumption of local
10 fruits and vegetables, which supports economic
11 opportunities for farmers throughout the State.

12 Accordingly, the purpose of this Act is to is to establish
13 a plant-based-by-default policy for state-operated prisons,
14 state-licensed hospitals, and government-sponsored events.

15 SECTION 2. Chapter 353, Hawaii Revised Statutes, is
16 amended by adding a new section to part I to be appropriately
17 designated and to read as follows:

18 **"§353- Food and drinks for committed persons; plant-**
19 **based-by-default program.** (a) The director shall establish a
20 plant-based-by-default program for committed persons' food and
21 drinks.



1 (b) Under the program, the department shall offer
2 committed persons only plant-based food products by default;
3 provided that any committed person may opt out of the default
4 options.

5 (c) The director shall adopt rules in accordance with
6 chapter 91 to implement this section.

7 (d) The director shall submit annual reports on the
8 program's results to the Hawaii climate change mitigation and
9 adaptation commission.

10 (e) For the purposes of this section, "plant-based food
11 products" means food and drinks that do not contain meat,
12 poultry, fish, dairy, eggs, or other animal products or
13 byproducts."

14 SECTION 3. Section 26-6, Hawaii Revised Statutes, is
15 amended by amending subsection (b) to read as follows:

16 "(b) The department shall:

17 (1) Preaudit and conduct after-the-fact audits of the
18 financial accounts of all state departments to
19 determine the legality of expenditures and the
20 accuracy of accounts;



- 1 (2) Report to the governor and to each regular session of
- 2 the legislature as to the finances of each department
- 3 of the State;
- 4 (3) Administer the state risk management program;
- 5 (4) Establish and manage motor pools;
- 6 (5) Manage the preservation and disposal of all records of
- 7 the State;
- 8 (6) Undertake the program of centralized engineering and
- 9 office leasing services, including operation and
- 10 maintenance and lease buyback processing pursuant to
- 11 subsection (d) of public buildings, for departments of
- 12 the State;
- 13 (7) Undertake the functions of the state surveyor;
- 14 (8) Establish accounting and internal control systems;
- 15 (9) Have the discretion to employ persons within the
- 16 comptroller's office who shall be exempt from chapters
- 17 76 and 89 in support of communications, change
- 18 management, and business process improvement programs
- 19 as part of the State's information technology
- 20 modernization efforts; provided that the persons shall
- 21 be members of the state employees' retirement system



- 1 and shall be eligible to receive the benefits of any
2 state employee benefit program generally applicable to
3 officers and employees of the State;
- 4 (10) Provide centralized computer information management
5 and processing services through the chief information
6 officer;
- 7 (11) Establish a program to provide a means for public
8 access to public information and develop an
9 information network for state government;
- 10 (12) Assume administrative responsibility for the office of
11 information practices; [~~and~~]
- 12 (13) Approve state fleet acquisitions; provided that:
- 13 (A) Beginning January 1, 2022, all new light-duty
14 motor vehicles that are passenger cars purchased
15 for the State's fleet shall be zero-emission
16 vehicles;
- 17 (B) Beginning as soon as practicable but no later
18 than January 1, 2030, all new light-duty motor
19 vehicles that are multipurpose passenger vehicles
20 and trucks for the State's fleet shall be zero-
21 emission vehicles; and



1 (C) The comptroller may authorize an exemption for
2 new fleet vehicle purchases if zero-emission
3 vehicles are demonstrated to be cost-prohibitive
4 on a lifecycle basis or unsuitable for the
5 vehicles' planned purpose, or if funds are
6 unavailable[-]; and

7 (14) Establish a plant-based-by-default program for
8 government-sponsored events. Under the program,
9 attendees at government-sponsored events shall be
10 offered only plant-based food products by default;
11 provided that any attendee may opt out of the default
12 options. The comptroller shall submit annual reports
13 on the program's results to the Hawaii climate change
14 mitigation and adaptation commission. The department
15 shall adopt rules in accordance with chapter 91 to
16 implement the program.

17 For the purposes of this subsection:

18 "Government-sponsored event" means a gathering at a
19 facility under the management and control of any state
20 department during which food and drinks are offered to
21 attendees.



1 "Light-duty motor vehicle" has the same meaning as defined
2 in title 10 Code of Federal Regulations part 490.

3 "Multipurpose passenger vehicle" has the same meaning as
4 defined in title 49 Code of Federal Regulations section 571.3.

5 "Passenger car" has the same meaning as defined in title 49
6 Code of Federal Regulations section 571.3.

7 "Plant-based food products" means food and drinks that do
8 not contain meat, poultry, fish, dairy, eggs, or other animal
9 products or byproducts.

10 "Truck" has the same meaning as defined in title 49 Code of
11 Federal Regulations section 571.3.

12 "Zero-emission vehicle" has the same meaning as specified
13 in title 40 Code of Federal Regulations section 88.1."

14 SECTION 4. Section 321-14.5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§321-14.5 Hospitals; licensing.** (a) All hospitals shall
17 be licensed by the department to ensure the health, safety, and
18 welfare of the individuals placed therein.

19 (b) The director shall adopt rules in accordance with
20 chapter 91 that shall provide for the licensing of hospitals.



1 (c) The rules may provide that accreditation by The Joint
2 Commission demonstrates a hospital's compliance with all
3 licensing inspections required by the State. The rules may
4 exempt a hospital from a licensing inspection on a continuing
5 basis throughout the term of the accreditation under the
6 following conditions:

7 (1) The hospital provides the department with a certified
8 copy of the hospital's official accreditation report
9 from The Joint Commission;

10 (2) The hospital continuously holds full accreditation by
11 The Joint Commission; and

12 (3) The hospital holds a current and valid state license.

13 (d) The rules shall provide that the department may
14 conduct inspections and investigations of exempt hospitals to
15 investigate complaints, follow up on adverse accreditation
16 findings, or conduct periodic validation surveys.

17 (e) Information contained in reports of survey and
18 official accreditation letters made by The Joint Commission used
19 in determining compliance with licensing requirements shall be
20 public information.



1 (f) All other records maintained by the department shall
2 be governed by chapter 92F.

3 (g) The rules shall provide that each hospital shall
4 establish a plant-based-by-default program for patients' food
5 and drinks. Under the program, each hospital shall offer
6 patients only plant-based food products by default; provided
7 that any patient may opt out of the default options. For the
8 purposes of this subsection, "plant-based food products" means
9 food and drinks that do not contain meat, poultry, fish, dairy,
10 eggs, or other animal products or byproducts. The director
11 shall submit annual reports on the program's results to the
12 Hawaii climate change mitigation and adaptation commission."

13 SECTION 5. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 6. This Act shall take effect on July 1, 2026.

16 INTRODUCED BY: 

S.B. NO. 540

Report Title:

DCR; DAGS; DOH; Plant-Based-By-Default Program; Reports

Description:

Requires state agencies to establish a Plant-Based-By-Default Program for food and drinks offered at state-operated prisons, state-licensed hospitals, and government-sponsored events. Requires the Director of Corrections and Rehabilitation, Comptroller, and Director of Health to submit annual reports to the Hawaii Climate Change Mitigation and Adaptation Commission. Effective 7/1/2026.

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

