

STAND. COM. REP. NO. 378

Honolulu, Hawaii

FEB 12 2025

RE: S.B. No. 223
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Water and Land and Public Safety and
Military Affairs, to which was referred S.B. No. 223 entitled:

"A BILL FOR AN ACT RELATING TO FIRE PREVENTION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require certain owners and occupants of properties located in hazardous fire areas to maintain effective firebreaks within thirty feet of the property and to practice other fire prevention activities;
- (2) Establish the Community Fuels Reduction Project to be administered by the Department of Land and Natural Resources;
- (3) Require the Department of Land and Natural Resources to submit an annual report to the Legislature detailing its progress in reducing hazardous wildfire fuels on state-owned lands; and
- (4) Appropriate funds to the Department of Land and Natural Resources to establish the Community Fuels Reduction Project.



Your Committees received comments on this measure from the Department of the Attorney General, Department of Land and Natural Resources, Department of Education, and Kamehameha Schools.

Your Committees find that defensible space requirements and efforts to reduce fuel loads can help keep the State's communities safe. Your Committees further find that the State Fire Council is expected to establish requirements for defensible space in accordance with evidence-based codes and standards. Accordingly, your Committees also find that the State Fire Council may be better suited to provide guidance to landowners that is grounded in practice. Your Committees additionally find that the State Fire Council should evaluate and, if necessary, amend provisions of the State Fire Code regarding defensible space requirements. This measure will ensure that the State's fire prevention and mitigation practices are robust.

Your Committees note the testimony of the Department of Land and Natural Resources that incorporating the proposed defensible space requirements into the State Fire Code rather than enacting them through statutory law is preferable since placing the requirements into statute may make it challenging to adjust regulations as needed.

Your Committees have amended this measure by:

- (1) Deleting language that would have codified defensible space requirements for properties in hazardous fire areas in statute;
- (2) Deleting language that would have defined "hazardous fire area";
- (3) Adding language that requires the State Fire Council to amend the State Fire Code to require certain owners and occupants of properties located in hazardous fire areas to implement certain fire prevention and mitigation practices; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the records of votes of the members of your Committees on Water and Land and Public Safety and Military Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 223, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 223, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Water and Land and Public Safety and Military Affairs,

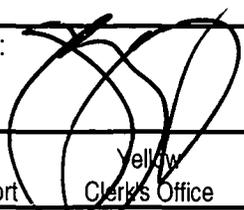

BRANDON J.C. ELEFANTE, Chair


LORRAINE R. INOUÉ, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Public Safety and Military Affairs
PSM

Bill / Resolution No.:* SB 223	Committee Referral: WTL/PSM, JDC/WAM	Date: 2-3-25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ELEFANTE, Brandon J.C. (C)	✓			
WAKAI, Glenn (VC)	✓			
FUKUNAGA, Carol				✓
RHOADS, Karl				✓
DECORTE, Samantha	✓			
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes