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## 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 prohibit landlords, including  
6   those operating in public housing and educational dorm settings,  
7   from renting a dwelling unit that the landlord knows has a  
8   current bed bug infestation and establish procedures that  
9   landlords must take upon receiving notice of an actual or  
10   suspected bed bug infestation.

11       SECTION 2. Chapter 521, Hawaii Revised Statutes, is  
12   amended by adding a new section to part IV to be appropriately  
13   designated and to read as follows:

14       "§521-     Bed bugs; procedures and reporting. (a) Before  
15   renting a dwelling unit, if the landlord has notice of a  
16   suspected or actual bed bug infestation, a landlord shall  
17   visually inspect the dwelling unit for any evidence of the  
18   presence of bed bugs. Evidence of bed bugs may be indicated by  
19   observation of a living bed bug; bed bug carapace; eggs or egg  
20   casings; or brownish or blood-colored spotting on linens,  
21   mattresses, or furniture. If a bed bug infestation is evident



1 on visual inspection, the landlord shall be considered to have  
2 received notice. A landlord shall not show or rent to a  
3 prospective tenant any dwelling unit that the landlord knows or  
4 reasonably suspects has a current bed bug infestation. This  
5 section shall not require a landlord to inspect a dwelling unit  
6 or the common areas of the premises for bed bugs before renting  
7 the dwelling unit if the landlord has not received notice of a  
8 suspected or actual bed bug infestation.

9 (b) Before renting a dwelling unit, a landlord shall  
10 disclose to a prospective tenant if the landlord has knowledge  
11 of an adjacent unit or units that are currently infested with  
12 bed bugs, are being treated for bed bugs, or have been treated  
13 for bed bugs within the previous thirty days.

14 (c) Upon notice from a person who finds or reasonably  
15 suspects a bed bug infestation in a dwelling unit or common area  
16 of the premises, the landlord shall, within five days of receipt  
17 of the notice:

18 (1) Acknowledge receipt of the notice of the suspected  
19 infestation; and



(2) Inspect, or obtain investigatory services from a pest control operator licensed pursuant to chapter 460J for, the dwelling unit or common area.

(d) Upon a determination of an infestation, the landlord shall, within seven days:

(1) Obtain and provide remedial services from a pest control operator licensed pursuant to chapter 460J;

(2) Inspect, or obtain investigatory services from a pest control operator for, any unit directly adjacent to or above or below the dwelling unit or common area from which the original notice came;

(3) Provide all tenants of units who may be affected by the bed bug infestation with notice of the infestation. Electronic notice may be provided by electronic mail or by an electronic portal or management communication system that is available to both a landlord and a tenant. Similar notice shall be provided to all tenants in connection with determinations made regarding a common area of the premises;



1       (4) Notify the department of health of the infestation and  
2       report any control measures taken, including any  
3       chemicals applied and other remedies provided; and

4       (5) Maintain a written record of all notices and control  
5       measures provided, including reports of the chemicals  
6       applied and other remedies provided, and any other  
7       reports or receipts prepared by the pest control  
8       operator, which shall be maintained for two years.

9       (e) Responsibility for cost of bed bug remediation shall  
10      be determined as follows:

11       (1) If a tenant notifies the landlord that the tenant  
12       discovered or reasonably suspects a bed bug  
13       infestation within the tenant's dwelling unit within  
14       sixty days after the commencement of the lease, or  
15       within thirty days of a discovery of a bed bug  
16       infestation in an adjoining unit in the building, the  
17       landlord shall be responsible for the costs of  
18       investigating and remediating the infestation; and

19       (2) If a tenant notifies the landlord that the tenant  
20       discovered or reasonably suspects a bed bug  
21       infestation more than sixty days after the



1 commencement of the lease, or more than thirty days  
2 after a discovery of a bed bug infestation in an  
3 adjoining unit in the building, the landlord shall be  
4 responsible for investigating and remediating the bed  
5 bug infestation; provided that the tenant shall  
6 equally share in the responsibility for the reasonable  
7 costs for remediating the infestation in the tenant's  
8 unit.

9 A tenant shall not be responsible for sharing in any costs for  
10 dwelling units controlled, owned, or managed by the Hawaii  
11 public housing authority or by a university or college in the  
12 State.

13 (f) A tenant shall not knowingly bring into the dwelling  
14 unit personal furnishings or belongings that are known or  
15 reasonably suspected to be infested with bed bugs.

16 (g) A tenant shall have the duty to notify a landlord of  
17 the suspected existence of bed bugs within the tenant's dwelling  
18 unit.

19 (h) As used in this section:

20 "Bed bug infestation" means the presence of bed bugs.



1       "Bed bug remediation" means action taken by the landlord  
2       that substantially reduces the presence of bed bugs in a  
3       dwelling unit for at least sixty days.

4       "Dwelling unit" means a structure, or part of a structure,  
5       which is used as a home, residence, or sleeping place by one  
6       person or by two or more persons maintaining a common household,  
7       to the exclusion of all others. Notwithstanding section 521-7,  
8       "dwelling unit" includes:

9       (1) A public housing project or complex directly  
10       controlled, owned, or managed by the Hawaii public  
11       housing authority pursuant to the federal low rent  
12       public housing program, or a structure on a property  
13       directly controlled, owned, or managed by the Hawaii  
14       public housing authority; and

15       (2) A residence in a structure directly controlled and  
16       managed by a university or college in the State for  
17       housing its students or faculty, a residence in a  
18       structure erected on land leased from the university  
19       or college by a nonprofit corporation for the  
20       exclusive purpose of housing students or faculty of  
21       the college or university, or a private dorm

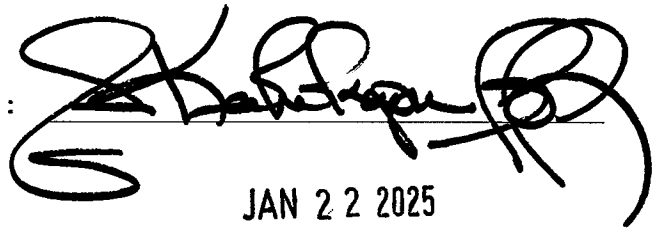


1        management company that offers a minimum of fifty beds  
2        to students of any college, university, or other  
3        institution of higher education in the State."

4        SECTION 3. New statutory material is underscored.

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

6        INTRODUCED BY:

  
JAN 22 2025





# H.B. NO. 1186

**Report Title:**

Bed Bugs; Landlords; Rental Dwelling Units; Infestations

**Description:**

Prohibits landlords, including those operating in public housing and educational dorm settings, from renting a dwelling unit that the landlord knows has a current bed bug infestation.

Establishes procedures that landlords shall take upon receiving notice of an actual or suspected bed bug infestation.

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