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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF LAW ENFORCEMENT.

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

1       SECTION 1. The legislature finds that, in a 2019 report,  
2       the United States Department of Agriculture found that  
3       agricultural theft and vandalism and the expense of security  
4       measures to prevent these crimes in the State cost farmers  
5       roughly \$14,400,000. In 2020, the Hawaii department of  
6       agriculture reported sixty-six cases of felony agricultural  
7       theft, thirty cases of trespassing, and forty-eight other  
8       related offenses in Hawaii county.

9       In 2024, a rancher was killed in a confrontation on Oahu,  
10       allegedly stemming from trespassing. This incident highlights  
11       the heightened opportunity for violent crimes to occur when  
12       weapons are present during disputes on farms and ranches.

13       The legislature further finds that agricultural crime is  
14       likely underreported throughout the State. The rural locations  
15       of ranches and farms can make it challenging for law enforcement  
16       agencies to timely respond to reports, especially agencies that  
17       may be understaffed or do not prioritize agricultural crimes



1 compared to other violent and property crimes. Consequently,  
2 the ability to prevent, investigate, and prosecute agricultural  
3 crimes statewide must be prioritized to ensure community safety  
4 on all islands.

5 The legislature recognizes that there is a recruitment  
6 challenge within the department of law enforcement, including  
7 the ability to recruit new law enforcement officers to serve in  
8 specific and identified areas of law enforcement. One solution  
9 to increase the pool of law enforcement candidates is to  
10 authorize individuals, including volunteers, who have aloha  
11 (love) or kuleana (responsibility) for the agricultural  
12 community to help with the deterrence, investigation, and  
13 enforcement of laws and rules directly relating to agricultural  
14 crimes and make a difference in the agricultural community in  
15 the State.

16 Accordingly, the purpose of this Act is to:

- 17 (1) Establish an agricultural enforcement program within  
18 the department of law enforcement;  
19 (2) Establish the agricultural enforcement special fund;  
20 and



1           (3)   Appropriate funds for and establish positions within  
2                   the agricultural enforcement program.

3           SECTION 2. Chapter 353C, Hawaii Revised Statutes, is  
4 amended by adding two new sections to be appropriately  
5 designated and to read as follows:

6           "**§353C-A   Agricultural enforcement program.**   (a)   There  
7 shall be established within the department an agricultural  
8 enforcement program. The department shall employ or appoint,  
9 and remove, the following persons, subject to chapter 76 and  
10 section 78-1:

11           (1)   An assistant chief, who shall be the administrator of  
12 the agricultural enforcement program and shall have  
13 charge, direction, and control, subject to the  
14 direction or control of the director, of all matters  
15 relating to the enforcement of an offense involving  
16 theft of an agricultural product or commodity as  
17 defined in section 708-835.55, and any other matters  
18 as determined by the director. The assistant chief  
19 shall be an administrator experienced in addressing  
20 agricultural theft; and



1       (2) Personnel, state law enforcement officers, and  
2           investigators, including but not limited to state law  
3           enforcement officers serving on a voluntary basis  
4           without pay.

5       (b) In addition to all police powers and duties, state law  
6       enforcement officers in the agricultural enforcement program  
7       shall:

8           (1) Focus on offenses under sections 708-830.5, 708-831,  
9           708-832, and 708-833 that involve the theft of an  
10          agricultural product or commodity;

11          (2) Gather evidence, conduct investigations, and conduct  
12          field observations, as required or assigned;

13          (3) Cooperate with any enforcement authorities of the  
14          federal, state, or county government in the  
15          development of programs and mutual aid agreements for  
16          agricultural activities within the State; and

17          (4) Carry out other duties and responsibilities as  
18          determined by the assistant chief.

19       (c) The department shall enter into memoranda of agreement  
20       with the division of conservation and resources enforcement of  
21       the department of land and natural resources and each county



1 police department, as necessary, to effectuate the purposes of  
2 this section.

3 **§353C-B Agricultural enforcement special fund;**  
4 **established.** (a) There shall be established in the state  
5 treasury the agricultural enforcement special fund to be  
6 administered by the department.

7 (b) The following shall be deposited into the agricultural  
8 enforcement special fund:

9 (1) Grants, awards, donations, gifts, transfers, or moneys  
10 derived from public or private sources for the  
11 purposes of enforcing offenses that involve the theft  
12 of an agricultural product or commodity, or any other  
13 matters as determined by the director;

14 (2) Fees, reimbursements, administrative charges, and  
15 penalties collected for activities related to the  
16 enforcement of laws and rules applicable to protecting  
17 agricultural products or commodities, except as  
18 otherwise provided by any law that requires deposit of  
19 these moneys into other special funds administered by  
20 the department of agriculture;



1       (3) Moneys derived from any interest, dividends, or other  
2       income from the sources in paragraphs (1) and (2); and

3       (4) Appropriations by the legislature.

4       (c) The agricultural enforcement special fund shall be  
5       used for expenditures relating to the agricultural enforcement  
6       program established pursuant to section 353C-A, including:

7       (1) Training;

8       (2) Research;

9       (3) Equipment;

10      (4) Preparation and dissemination of information to the  
11      public;

12      (5) Data collection and development;

13      (6) Information technology;

14      (7) Safety;

15      (8) Wireless communication;

16      (9) Management;

17      (10) Travel;

18      (11) Equipment rental;

19      (12) Repairs;

20      (13) Planning;

21      (14) Information;



1       (15) Education;

2       (16) Operations;

3       (17) Maintenance functions authorized and deemed necessary  
4       by the director;

5       (18) Funding for consultants or contractual hires related  
6       to the enforcement of laws and rules applicable to the  
7       offense of theft of an agricultural product or  
8       commodity, or any other matters as determined by the  
9       director; and

10      (19) Work performed in cooperation with enforcement  
11      authorities of the federal, state, or county  
12      government.

13      (d) The agricultural enforcement special fund shall be  
14      held separate and apart from all other moneys, funds, and  
15      accounts in the department; provided that any moneys received  
16      from the federal government or from private contributions shall  
17      be deposited and accounted for in accordance with any conditions  
18      established by the department or entity from which the moneys  
19      are received. Any balance remaining in the agricultural  
20      enforcement special fund at the end of any fiscal year shall be  
21      carried forward in the fund for the next fiscal year."



1       SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$                   or so  
3 much thereof as may be necessary for fiscal year 2025-2026 and  
4 the same sum or so much thereof as may be necessary for fiscal  
5 year 2026-2027 to be deposited into the agricultural enforcement  
6 special fund established pursuant to section 353C-B, Hawaii  
7 Revised Statutes.

8       SECTION 4. There is appropriated out of the agricultural  
9 enforcement special fund the sum of \$                   or so much  
10 thereof as may be necessary for fiscal year 2025-2026 and the  
11 same sum or so much thereof as may be necessary for fiscal year  
12 2026-2027 for:

13       (1) The establishment of the following positions within  
14 the agricultural enforcement program established  
15 pursuant to section 353C-A, Hawaii Revised Statutes:

16       (A)       full-time equivalent (       FTE) assistant  
17       chief position;

18       (B)       full-time equivalent (       FTE) state law  
19       enforcement investigator positions; provided that  
20       the four counties shall be  
21       assigned       positions each; and





1 (C) full-time equivalent ( FTE) uniformed  
2 state law enforcement officer positions for  
3 patrol functions; provided that the counties of  
4 Hawaii, Kauai, and Maui shall be  
5 assigned positions each, and positions  
6 shall be assigned to the city and county of  
7 Honolulu; and

8 (2) Other operating expenditures of the agricultural  
9 enforcement program established pursuant to section  
10 353C-A, Hawaii Revised Statutes.

11 The sums appropriated shall be expended by the department  
12 of law enforcement for the purposes of this Act.

13 SECTION 5. In codifying the new sections added by  
14 section 2 of this Act, the revisor of statutes shall substitute  
15 appropriate section numbers for the letters used in designating  
16 the new sections in this Act.

17 SECTION 6. New statutory material is underscored.

18 SECTION 7. This Act shall take effect on July 1, 3000.



**Report Title:**

DLE; Agricultural Enforcement Program; Theft of an Agricultural Product or Commodity; Agricultural Enforcement Special Fund; Positions; Appropriations

**Description:**

Establishes the Agricultural Enforcement Program within the Department of Law Enforcement. Establishes the Agricultural Enforcement Special Fund. Establishes positions. Appropriates funds. Effective 7/1/3000. (HD2)

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

