

JAN 17 2025

# A BILL FOR AN ACT

RELATING TO PROPERTY MAINTENANCE.

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

SECTION 1. The legislature finds that neglected properties create environmental and public safety hazards, including serving as breeding grounds for invasive species, raising the risk of wildfires, and adversely affecting surrounding communities. Addressing property neglect is essential to protect Hawaii's ecosystems, mitigate wildfire risks, and maintain the quality of life for residents.

Therefore, the purpose of this Act is to require owners, lessees, or managers of real property to maintain their property and establish penalties for failure to do so.

SECTION 2. The Hawaii Revised Statutes is amended by adding a new chapter to be appropriately designated and to read as follows:

## "CHAPTER

## PROPERTY MAINTENANCE; NEGLIGENCE; PENALTIES

§ -1 Property maintenance; requirements.

Notwithstanding any law to the contrary, it shall be the



1 responsibility of any owner, lessee, or manager of real property  
2 to ensure that their real property is regularly maintained to  
3 prevent:

4 (1) The proliferation of invasive species, including but  
5 not limited to plants, shrubs, grasses, or other  
6 vegetation that are known to spread aggressively and  
7 threaten native ecosystems;

8 (2) Conditions that raise the risk of wildfires, such as  
9 excessive accumulation of dry vegetation, debris, or  
10 other combustible materials; and

11 (3) Public safety hazards, including overgrowth of  
12 vegetation that obstructs pathways, roads, or access  
13 for emergency responders.

14 § -2 **Penalties.** (a) Any owner, lessee, or manager of  
15 real property whose property has been determined by the  
16 applicable state or county agency to pose environmental or  
17 public safety risks as set forth in section -1 shall be  
18 issued a written notice of violation specifying the necessary  
19 corrective actions to be completed within a reasonable time  
20 limit, not to exceed thirty days.



(b) Failure to comply within the time limit pursuant to subsection (a) shall result in:

(1) A civil fine of no less than \$1,000 and no more than \$10,000 per violation;

(2) An additional fine of \$100 per day for continued noncompliance by the owner, lessee, or manager of the real property beyond the initial notice period; and

(3) Requiring the reimbursement of costs incurred by the State or county for remediation efforts undertaken due to noncompliance by the owner, lessee, or manager of the real property.

(c) The penalties shall be levied against the owner, lessee, or manager of the real property, as applicable.

§ -3 **Exceptions.** Exceptions may be granted by the State or a county for:

(1) Real property that is under active restoration, conservation, or agricultural management plans approved by the State or county; or

(2) Circumstances deemed beyond the reasonable control of the owner, lessee, or manager of the real property, as determined by the applicable state or county agency.



1           §   **-4 Procedures for implementation of chapter.** (a) The  
2 department of land and natural resources and department of  
3 health shall adopt rules pursuant to chapter 91 to implement  
4 this chapter, including procedures for inspection, enforcement,  
5 appeals, and the collection of fines.

6           (b) Each county shall adopt ordinances to implement this  
7 chapter, including procedures for inspection, enforcement,  
8 appeals, and the collection of fines.

9           §   **-5 Fines; purposes.** (a) Any state or county agency  
10 that takes an enforcement action pursuant to this chapter shall  
11 collect any applicable fines.

12           (b) Any fines collected pursuant to this chapter shall be  
13 expended by the applicable agency under subsection (a) for:

- 14           (1) Invasive species control projects;  
15           (2) Wildfire prevention and response initiatives; or  
16           (3) Community education and outreach on property  
17 maintenance and environmental safety.

18           §   **-6 Other responsibilities and requirements.** Nothing  
19 in this chapter shall be construed to release any owner, lessee,  
20 or manager of real property from any other responsibility or



1 requirement to maintain their real property pursuant to law,  
2 including section 339-5."

3 SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

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

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INTRODUCED BY: *Sharon K. Jones*



# S.B. NO. 1080

**Report Title:**

Property Maintenance; Neglect; Fines; Enforcement; State;  
Counties

**Description:**

Requires owners, lessees, or managers of real property to maintain their property and establish penalties for failure to do so. Allows for exceptions.

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

