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# A BILL FOR AN ACT

RELATING TO FIRE PREVENTION.

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

PART I

SECTION 1. Section 185-1.5, Hawaii Revised Statutes, is amended to read as follows:

"~~[§]185-1.5[§]~~ **Responsible agency.** (a) The department shall take measures for the prevention, control, and extinguishment of wildland fires within forest reserves, public hunting areas, wildlife and plant sanctuaries, and natural area reserves and shall cooperate with established fire control agencies of the counties and the federal government in developing plans and programs and mutual aid agreements for assistance for the prevention, control, and extinguishment of fires on forest, grass, brush, and watershed lands not within the department's fire protection responsibilities described above.

(b) The department shall establish an independent program relating to the prevention, control, and extinguishment of wildland fires within forest reserves. The department may



1 perform fuel reduction on lands not set aside to the  
2 department."

3 SECTION 2. Section 185-3, Hawaii Revised Statutes, is  
4 amended by amending subsection (b) to read as follows:

5 "(b) The administrator shall have the power and duty to:

6 (1) Review and approve plans prepared by the managers;

7 (2) Establish procedures and guidelines for the  
8 prevention, control, and extinguishment of fires  
9 coming within the meaning of this chapter;

10 (3) Establish procedures, guidelines, and conditions for  
11 the issuance of burning permits and for determining  
12 periods when forest reserves, public hunting areas,  
13 wildlife and plant sanctuaries, and natural area  
14 reserves shall be closed;

15 (4) Close or partially close forest reserves, public  
16 hunting areas, wildlife and plant sanctuaries, and  
17 natural area reserves, by restricting certain  
18 activities when necessary;

19 (5) Summon, when necessary, additional firefighting  
20 assistance, equipment, supplies, and materials needed  
21 to extinguish fires; ~~[and]~~



(6) Do any act which the manager is empowered to perform under this chapter[~~-~~]; and

(7) Establish and maintain facilities for the performance of fire protection, fire prevention, pest control, and forest and range protection and enhancement activities."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$ or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the purposes of this part and the establishment of full-time equivalent ( FTE) positions.

The sums appropriated shall be expended by the department of land and natural resources for the purposes of this Act.

#### PART II

SECTION 4. The state fire council may amend the state fire code to require that every owner or other person having charge of or control over any building, structure, or other premises or any holder of an easement located in a hazardous fire area shall:



- 1 (1) Maintain an effective firebreak by removing and  
2 clearing flammable vegetation and combustible growth  
3 from areas within thirty feet of the building,  
4 structure, or premises; provided that single specimens  
5 of trees, ornamental shrubbery, or similar plants used  
6 as ground cover that do not rapidly transmit fire need  
7 not be removed or cleared;
- 8 (2) Maintain an effective firebreak by removing and  
9 clearing flammable vegetation and combustible growth  
10 from areas within one hundred feet of the building,  
11 structure, or premises when hazardous conditions cause  
12 a firebreak of thirty feet to be insufficient to  
13 provide reasonable safety; provided that grass and  
14 other vegetation located more than thirty feet from  
15 buildings or structures and less than eighteen inches  
16 in height above the ground need not be removed where  
17 necessary to stabilize the soil and prevent erosion;
- 18 (3) Remove portions of trees that extend within ten feet  
19 of any chimney outlet of the building or structure;
- 20 (4) Remove deadwood from trees adjacent to or overhanging  
21 the building or structure; and



- 1 (5) Maintain the roof of the building or structure free of  
2 leaves, needles, or other dead vegetative growth.

3 PART III

4 SECTION 5. (a) The department of land and natural  
5 resources shall establish and implement a community fuels  
6 reduction project to reduce hazardous wildfire fuels on state  
7 lands, particularly on lands adjacent to communities. Where  
8 feasible, the community fuels reduction project shall:

- 9 (1) Reduce hazardous wildfire fuels on the landscape that  
10 threaten watersheds, communities, and critical public  
11 infrastructure such as powerlines and communication  
12 facilities;

- 13 (2) Create and maintain effective firebreaks along  
14 undeveloped state properties that border a developed  
15 parcel, including but not limited to schools and  
16 residential and commercial properties, by removing and  
17 clearing flammable vegetation and combustible growth  
18 from areas within thirty feet of the developed parcel;

- 19 (3) Reduce flammable grasses on the landscape through  
20 projects like managed grazing; and



1 (4) Provide water infrastructure for grazing and fire  
2 suppression.

3 (b) The department of land and natural resources shall  
4 submit a report to the legislature no later than twenty days  
5 prior to the convening of each regular session detailing the  
6 progress made toward meeting the requirements of subsection (a).

7 SECTION 6. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$ or so  
9 much thereof as may be necessary for fiscal year 2025-2026 and  
10 the same sum or so much thereof as may be necessary for fiscal  
11 year 2026-2027 for the division of forestry and wildlife of the  
12 department of land and natural resources' community fuels  
13 reduction project to support wildfire prevention and hazardous  
14 fuel reduction measures pursuant to section 5 of this Act.

15 The sums appropriated shall be expended by the department  
16 of land and natural resources for the purposes of this Act.

17 SECTION 7. Beginning with fiscal year 2027-2028 and each  
18 fiscal year thereafter, the department of land and natural  
19 resources shall establish the community fuels reduction project  
20 as a separate line item within the department's budget.

21 PART IV



1       SECTION 8. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4       SECTION 9. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6       SECTION 10. This Act shall take effect on July 1, 3000;  
7 provided that parts I and III shall take effect on July 1, 2025.



**Report Title:**

DLNR; Forestry and Wildlife; State Fire Council; State Fire Code; Property Owners; Hazardous Fire Areas; Fire Prevention; Community Fuels Reduction Project; Report; Budget; Appropriations

**Description:**

Requires the Department of Land and Natural Resources to establish an independent program relating to the prevention, control, and extinguishment of wildland fires within forest reserves. Authorizes the Administrator of Forestry and Wildlife to establish and maintain facilities for the performance of fire protection, fire prevention, pest control, and forest and range protection and enhancement activities. Allows the State Fire Council to amend the State Fire Code to require certain owners and occupants of properties and holders of easements located in hazardous fire areas to maintain effective firebreaks and to practice other fire prevention activities. Establishes the Community Fuels Reduction Project to be administered by the Department of Land and Natural Resources. Requires reports to the Legislature. Appropriates funds. Effective 7/1/3000.  
(HD1)

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