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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 onto the rancher's property.  
11 This incident highlights the heightened opportunity for violent  
12 crimes to occur when weapons are present during disputes on  
13 farms and ranches.

14           The legislature further finds that agricultural crime is  
15 likely underreported throughout the State. The rural locations  
16 of ranches and farms can make it challenging for law enforcement  
17 agencies to timely respond to reports, especially agencies that



1 may be understaffed or do not prioritize agricultural crimes  
2 compared to other violent and property crimes. Consequently,  
3 the ability to prevent, investigate, and prosecute agricultural  
4 crimes statewide must be prioritized to ensure community safety  
5 on all islands.

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

17 Accordingly, the purpose of this Act is to:

- 18 (1) Establish an agricultural enforcement program within  
19 the department of law enforcement;  
20 (2) Establish the agricultural enforcement special fund;  
21 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 deputy director, of all  
15           matters relating to the enforcement of an offense  
16           listed in section 708-835.55 involving theft of an  
17           agricultural product or commodity and any other  
18           matters as determined by the deputy director. The  
19           assistant chief shall be an administrator experienced  
20           in addressing 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 listed under section 708-835.55 that  
9       involve the theft of an agricultural product or  
10       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 deputy director.

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 (d) For purposes of this section, "deputy director" means  
4 the deputy director of law enforcement.

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

9 (b) The following shall be deposited into the agricultural  
10 enforcement special fund:

11 (1) Grants, awards, donations, gifts, transfers, or moneys  
12 derived from public or private sources for the  
13 purposes of enforcing offenses that involve the theft  
14 of an agricultural product or commodity, or any other  
15 matters as determined by the deputy director;  
16 (2) Fees, reimbursements, administrative charges, and  
17 penalties collected for activities related to the  
18 enforcement of laws and rules applicable to protecting  
19 agricultural products or commodities, except as  
20 otherwise provided by any law that requires deposit of



1           these moneys into other special funds administered by  
2           the department of agriculture;

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

5           (4) Appropriations by the legislature.

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

9           (1) Training;

10          (2) Research;

11          (3) Equipment;

12          (4) Preparation and dissemination of information to the  
13          public;

14          (5) Data collection and development;

15          (6) Information technology;

16          (7) Safety;

17          (8) Wireless communication;

18          (9) Management;

19          (10) Travel;

20          (11) Equipment rental;

21          (12) Repairs;



1       (13) Planning;

2       (14) Information;

3       (15) Education;

4       (16) Operations;

5       (17) Maintenance functions authorized and deemed necessary  
6       by the deputy director;

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

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

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



1 enforcement special fund at the end of any fiscal year shall be  
2 carried forward in the special fund for the next fiscal year.

3 (e) For purposes of this section, "deputy director" has  
4 the same meaning as defined in section 353C-A."

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

12 SECTION 4. There is appropriated out of the agricultural  
13 enforcement special fund the sum of \$ or so much  
14 thereof as may be necessary for fiscal year 2025-2026 and the  
15 same sum or so much thereof as may be necessary for fiscal year  
16 2026-2027 for:

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

20 (A) One full-time equivalent (1.0 FTE) assistant  
21 chief position;





1 (B) Eight full-time equivalent (8.0 FTE) state law  
2 enforcement investigator positions; provided that  
3 the four counties shall be assigned two positions  
4 each; and

5 (C) Thirty-six full-time equivalent (36.0 FTE)  
6 uniformed state law enforcement officer positions  
7 for patrol functions; provided that the counties  
8 of Hawaii, Kauai, and Maui shall be assigned  
9 eight positions each, and twelve positions shall  
10 be assigned to the city and county of Honolulu;  
11 and

12 (2) Other operating expenditures of the agricultural  
13 enforcement program established pursuant to section  
14 353C-A, Hawaii Revised Statutes.

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

17 SECTION 5. In codifying the new sections added by  
18 section 2 of this Act, the revisor of statutes shall substitute  
19 appropriate section numbers for the letters used in designating  
20 the new sections in this Act.

21 SECTION 6. New statutory material is underscored.



1 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; Appropriation

**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.*

