
A BILL FOR AN ACT

RELATING TO CESSPOOLS.

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

1 SECTION 1. Section 342D-72, Hawaii Revised Statutes, is
2 repealed.

3 ~~"[§342D-72 Cesspools; mandatory upgrade, conversion, or~~
4 ~~connection.~~ (a) ~~Before January 1, 2050, every cesspool in the~~
5 ~~state, excluding cesspools granted exemptions by the director of~~
6 ~~health pursuant to subsection (b), shall be:~~
7 (1) ~~Upgraded or converted to a director approved~~
8 ~~wastewater system; or~~
9 (2) ~~Connected to a sewerage system.~~

10 (b) ~~The director of health may grant exemptions from the~~
11 ~~requirements of subsection (a) to property owners of cesspools~~
12 ~~that apply for an exemption and present documentation showing a~~
13 ~~legitimate reason that makes it infeasible to upgrade, convert,~~
14 ~~or connect the cesspools. For the purposes of this subsection,~~
15 ~~a legitimate reason shall include but not be limited to:~~
16 (1) ~~Small lot size;~~
17 (2) ~~Steep topography;~~



1 (3) Poor soils; or

2 (4) Accessibility issues.

3 (c) As used in this section, "cesspool" means an
4 individual wastewater system consisting of an excavation in the
5 ground whose depth is greater than its widest surface dimension,
6 that receives untreated wastewater, and retains or is designed
7 to retain the organic matter and solids discharged into it, but
8 permits the liquid to seep through its bottom or sides to gain
9 access to the underground geographic formation.]"

10 SECTION 2. Statutory material to be repealed is bracketed
11 and stricken.

12 SECTION 3. This Act shall take effect upon its approval.

13

INTRODUCED BY:

JAN 27 2026



H.B. NO. 2352

Report Title:

Cesspools; Upgrade, Conversion, or Connection; Repeal

Description:

Repeals the mandated upgrade, conversion, or sewer connection of all the cesspools in the State before 2050.

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