
A BILL FOR AN ACT

RELATING TO PLANTS.

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

1 SECTION 1. The legislature finds that invasive plant
2 species are sold within the State and unknowingly purchased by
3 consumers. The legislature further finds that the list of
4 noxious weeds that are prohibited from import or sale in the
5 State and maintained by the department of agriculture and
6 biosecurity was last updated in 1992, contains species that are
7 now widespread, and omits some of the invasive plant species
8 that pose the highest risks.

9 The legislature additionally finds that the plant pono
10 program was created to help Hawaii residents and members of the
11 nursery industry and related industries make wise planting
12 decisions that protect the State by reducing the sale, planting,
13 and spread of invasive species. The plant pono program provides
14 a publicly accessible website and resources that allow users to
15 select plants that are less likely to escape cultivation and
16 harm native forests, watersheds, agriculture, and biodiversity.
17 The plant pono program relies on the Hawaii-Pacific weed risk



1 assessment, a science-based tool that provides standardized
2 ratings of the potential invasiveness of plant species in
3 Hawaii, helping resource managers, retailers, and the public
4 make informed planting decisions.

5 The legislature believes that providing consumers
6 information about the invasiveness of the plants that they
7 purchase will protect unsuspecting consumers from bringing
8 invasive species into their yards, neighborhoods, and
9 communities.

10 The purpose of this Act is to require certain persons who
11 sell or offer plants for sale at retail to provide information
12 on the risk of invasiveness of the plant species.

13 SECTION 2. Chapter 150A, Hawaii Revised Statutes, is
14 amended by adding a new section to part VI to be appropriately
15 designated and to read as follows:

16 **"§150A- Invasive plants; weed risk assessment;**
17 **labeling.** (a) Any person who sells or offers for sale any
18 species of plant to the final consumer in the State shall
19 provide, in a conspicuous manner on each plant sold or offered
20 for sale, information on the risk of invasiveness of the plant
21 species based on its weed risk assessment.



1 (b) The information on risk of invasiveness of a plant
2 species required by subsection (a) shall include a sticker or
3 tag affixed to each plant, or conspicuously displayed for a
4 grouping of the same plant species, that includes a link to the
5 plant pono program website to allow the public access to the
6 weed risk assessment, if available.

7 (c) The invasive species council shall develop a
8 universal, color-coded label that indicates a plant species'
9 weed risk assessment, ranging from "Least Invasive" to "Most
10 Invasive". The label shall be displayed on each plant sold or
11 offered for sale alongside the sticker or tagged affixed to the
12 plant pursuant to subsection (b).

13 (d) If a plant species has not undergone a weed risk
14 assessment, the plant species may be submitted to the Hawaii-
15 Pacific weed risk assessment program for evaluation.

16 (e) The labeling of plants pursuant this section shall not
17 be required for plants sold by a noncommercial plant grower.

18 (f) Notwithstanding section 150A-14 to the contrary, any
19 person who violates any provision of this section or any rule
20 adopted pursuant to this section shall be subject to a fine of
21 no less than \$100. Any action taken to impose or collect the



1 fine provided for in this subsection shall be considered a civil
2 action.

3 (g) The department, in collaboration with the invasive
4 species council, may adopt rules pursuant to chapter 91
5 necessary to implement this section.

6 (h) For the purposes of this section, "weed risk
7 assessment" means the score assigned to a plant species that has
8 undergone the Hawaii-Pacific weed risk assessment administered
9 by the invasive species council, or any successor weed risk
10 assessment."

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

14 SECTION 4. New statutory material is underscored.

15 SECTION 5. This Act shall take effect on January 1, 2027.

16
INTRODUCED BY: 

JAN 28 2026



H.B. NO. 2596

Report Title:

Department of Agriculture and Biosecurity; Invasive Species Council; Invasive Plant Species; Labeling; Weed Risk Assessment

Description:

Requires persons who sell or offer plants for sale at retail to provide information on the risk of invasiveness of the plant species. Requires the Invasive Species Council to develop a labeling system for plants that displays the plants' weed risk assessments. Establishes fines for violations. Effective 1/1/2027.

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

