

JAN 22 2026

A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

1 SECTION 1. The legislature finds that pesticide use is
2 associated with neurological deficits and acute health effects
3 in children. Scientific research conducted by academic
4 institutions and the United States Environmental Protection
5 Agency has demonstrated that pesticides sprayed on agricultural
6 fields can drift off site, causing adverse health effects.
7 Drift can occur through spray, mist, fumes, or odor during
8 application, or through volatilization of previously treated
9 areas.

10 The legislature further finds that Act 45, Session Laws of
11 Hawaii 2018, created a ban on chlorpyrifos—an excellent example
12 of state regulatory action to protect the public from
13 neurologically damaging pesticides. However, the legislature
14 also finds that the one hundred foot buffer zone for schools is
15 insufficient. Pesticide drift can occur at distances up to 0.8
16 mile or 4,224 feet, from the site of application. The
17 legislature additionally finds that scientific evidence supports



1 a one-half mile buffer from schools to prevent acute health
2 effects and long-term neurological impacts on Hawai'i's children.

3 The purpose of this Act is to:

4 (1) Require the department of agriculture and biosecurity
5 to use consistent units of measurement in its summary
6 to the public on restricted use pesticides applied;
7 and

8 (2) Prohibit restricted use pesticides from being applied
9 within one-half mile of schools during normal school
10 hours.

11 SECTION 2. Section 149A-27, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "[~~§~~§149A-27[~~§~~] **Public reports; contents.** The department
14 shall produce a summary, for public disclosure, by county[~~7~~] and
15 tax map key or other specific property description, that
16 includes:

17 (1) The total quantities used, in a consistent unit of
18 measurement, by federal and state registrations or
19 permit numbers, commercial product names, and active
20 ingredients, for each restricted use pesticide used;
21 and



S.B. NO. 2459

1 (2) The amount of area in the county in which the
2 restricted use application occurred."

3 SECTION 3. Section 149A-28, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "~~[§]§149A-28[§]~~ **Buffer zones.** Beginning January 1,
6 ~~[2019,]~~ 2027, no person shall apply a restricted use pesticide
7 on or within ~~[one hundred feet]~~ one-half mile of a school
8 property during normal school hours; provided that this section
9 shall not apply to whole structure fumigation; provided further
10 that if this section is determined to conflict with any
11 pesticide application information listed on the pesticide label,
12 the more restrictive provision shall apply."

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

16

INTRODUCED BY: Karl Rhoads



S.B. NO. 2459

Report Title:

Department of Agriculture and Biosecurity; Pesticides; Buffer Zones; Restricted Use Pesticides; Consistent Unit of Measurement

Description:

Requires the Department of Agriculture and Biosecurity to use consistent units of measurement in its summary to the public on the amounts of restricted use pesticides applied. Establishes a one-half mile buffer zone for pesticides around schools during normal school hours.

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

