

JAN 23 2026

A BILL FOR AN ACT

RELATING TO SCHOOL FACILITIES.

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

1 SECTION 1. The legislature finds that public school
2 outdoor facilities represent important community assets,
3 especially in areas with limited access to parks and
4 recreational amenities. House Concurrent Resolution No. 46
5 (2025) notes significant inequities in access to public
6 recreational facilities and emphasizes the need to expand
7 opportunities for families statewide.

8 The legislature further finds that although administrative
9 rules require public school facilities to be made available for
10 community use when such use does not interfere with school
11 operations, the current system for granting access is highly
12 principal-driven, discretionary, and inconsistent across
13 campuses. As documented in recent public reporting, some
14 schools have approved fewer than a dozen public-use requests in
15 multiple years. For example, Mililani Middle School approved
16 less than a dozen community requests for its facilities since
17 2023, despite heavy demand from nearby park users.



1 The legislature additionally finds that these inconsistent
2 access decisions limit equitable recreational opportunities and
3 create confusion and frustration among families seeking safe
4 places for their children to play during non-school hours. A
5 statewide pilot establishing predictable and uniform weekend
6 access to outdoor school facilities will allow the State to
7 evaluate benefits, safety considerations, and operational needs
8 in a controlled, time-limited manner.

9 The purpose of this Act is to create a pilot program that
10 requires the department of education to open outdoor school
11 facilities for community use on weekends, and to require
12 simplified reporting focused on utilization and options for
13 expanding or formalizing community use of school facilities
14 statewide.

15 SECTION 2. Section 302A-1148, Hawaii Revised Statutes, is
16 amended to read as follows:

17 "**§302A-1148 Use of school facilities and grounds.** (a)
18 ~~[All]~~ Except as provided in subsection (b), public school
19 buildings, facilities, and grounds shall be available for
20 general recreational purposes, and for public and community use,
21 whenever these activities do not interfere with the normal and



1 usual activities of the school and its pupils. Any other law to
2 the contrary notwithstanding, the department shall adopt rules
3 under chapter 91 as are deemed necessary to carry out the
4 purposes of this section and may issue licenses, revocable
5 permits, concessions, or rights of entry to school buildings and
6 grounds for such periods of use as deemed appropriate by the
7 department. All such dispositions, including those in excess of
8 fourteen days, need not be approved by the board of land and
9 natural resources; provided that approval by the board of land
10 and natural resources shall be required when the dispositions
11 are for periods in excess of a year. The department may assess
12 and collect fees and charges from the users of school buildings,
13 facilities, grounds, and equipment, which include fees and
14 charges assessed and collected by the department for parking on
15 roadways and in parking areas under the jurisdiction of the
16 department, pursuant to section 302A-1151.6. The fees and
17 charges shall be deposited into a separate fund and expended by
18 the department under rules as may be adopted by the board;
19 provided that any parking fees assessed and collected by a
20 school shall be deposited to the credit of that school's
21 nonappropriated local school fund account.



1 (b) The department shall make available all public school
2 outdoor facilities and grounds on Saturdays and Sundays, during
3 hours to be determined by the department for each outdoor
4 facility and grounds, for public and community use without the
5 need for any license, permit, or deposit of fees, whenever these
6 activities do not interfere with the normal and usual activities
7 of the school, its students, or any reservations made to use the
8 facilities or grounds. The department shall post appropriate
9 signage at the outdoor facilities and grounds stating that
10 persons using public school outdoor facilities or grounds
11 pursuant to this subsection shall not hold the department and
12 the State responsible for any injury or death and shall assume
13 the risk of liability pursuant to section 302A-1148.5.

14 ~~[(b)]~~ (c) A separate subaccount of the fund established
15 pursuant to subsection (a), to be known as the school facilities
16 subaccount, shall be established for all proceeds from the
17 leases, permits, interest income generated from public school
18 lands, and other revenue generated from the nonpermanent
19 disposition of public school lands, including facilities,
20 pursuant to section 302A-1151.1. The subaccount shall be
21 governed by section 302A-1151.2."



SECTION 3. Section 302A-1151.2, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

"[+]§302A-1151.2[+] School facilities subaccount. (a)

All proceeds from the leases, permits, interest income generated from public school lands, and other revenue generated from the nonpermanent disposition of public school lands, including facilities, pursuant to section 302A-1151.1 shall be deposited into the school facilities subaccount established pursuant to section 302A-1148~~[(b)-]~~ (c)."

SECTION 4. The department of education shall submit a report to the legislature no later than twenty days prior to the convening of the regular sessions of 2028 and 2029. Each report shall include:

(1) Utilization of outdoor school facilities, including:

(A) Estimates of weekend community use at participating campuses; and

(B) General types of use observed, including unstructured play, walking, and sports practices;

(2) Operational considerations, including:



(A) Any notable safety issues, maintenance needs, or property concerns resulting from weekend access; and

(B) Any cost impacts or staffing considerations identified by schools or the department; and

(3) Recommendations for future implementation, including:

(A) Strategies to enhance or manage community access;

(B) Whether the program should be continued, modified, or expanded; and

(C) Proposed legislation prior to the program's repeal date.

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

SECTION 6. This Act shall take effect upon its approval; provided that on June 30, 2030, this Act shall be repealed and sections 302A-1148 and 302A-1151.2, Hawaii Revised Statutes, shall be reenacted in the form in which they read on the day prior to the effective date of this Act.

INTRODUCED BY: 



S.B. NO. 2605

Report Title:

Department of Education; School Facilities; Public Use;
Community Use; Report

Description:

Requires the Department of Education to make available all public school outdoor facilities and grounds on Saturdays and Sundays for public and community use without the need for any license, permit, or deposit of fees, under certain conditions. Requires reports to the Legislature. Repeals on 6/30/2030.

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

