

JAN 23 2026

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## 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."



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

4 **"[–]S302A-1151.2[–] School facilities subaccount.** (a)  
5 All proceeds from the leases, permits, interest income generated  
6 from public school lands, and other revenue generated from the  
7 nonpermanent disposition of public school lands, including  
8 facilities, pursuant to section 302A-1151.1 shall be deposited  
9 into the school facilities subaccount established pursuant to  
10 section 302A-1148[–] (c)."

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

15 (1) Utilization of outdoor school facilities, including:  
16 (A) Estimates of weekend community use at  
17 participating campuses; and  
18 (B) General types of use observed, including  
19 unstructured play, walking, and sports practices;  
20 (2) Operational considerations, including:



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 Statutory material to be repealed is bracketed  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

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15 provided that on June 30, 2030, this Act shall be repealed and  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

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INTRODUCED BY: Dan K. H. Johnson



# 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.*

