

JAN 23 2026

A BILL FOR AN ACT

RELATING TO BIOSECURITY.

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

1 SECTION 1. The legislature finds that Act 236, Session
2 Laws of Hawaii 2025 (Act 236), authorizes the department of
3 agriculture and biosecurity to enter into government-industry
4 agreements, which are a critical component in the protection of
5 the State's agriculture, people, economy, unique biodiversity,
6 and environment from invasive species. The objective of
7 government-industry agreements is to increase collaboration
8 between private industries and the government by formalizing
9 commitments to bolster the biosecurity network, increase
10 capacity in the response to current pests, and enhance
11 capability and readiness in response to future pests. The
12 department of agriculture and biosecurity is required to provide
13 education and training, supplies and equipment, and pest
14 management programs to equip private industries that are
15 signatories to the agreements in the decision-making process.
16 These signatory private industries are then required to provide



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1 manpower, treatment equipment, surveillance, and response
2 readiness.

3 However, the legislature further finds that, after the
4 department of agriculture and biosecurity began discussions with
5 private industry parties about the government-industry
6 agreements, it became apparent that Act 236 should be refined to
7 address certain issues. Accordingly, the purpose of this Act is
8 to:

9 (1) Rename the agreements to biosecurity government-
10 industry agreements to prevent confusion with a
11 program with similar initials;

12 (2) Protect private industries from liability when
13 performing response and readiness activities described
14 under the biosecurity government-industry agreements;
15 and

16 (3) Create a working group of private industry signatories
17 for joint decision-making.

18 SECTION 2. Section 150A-58, Hawaii Revised Statutes, is
19 amended to read as follows:

20 "~~[+]§150A-58[]—Government-industry]~~ Biosecurity

21 government-industry agreements for readiness and response. (a)



1 The department may enter into readiness and response agreements
2 with businesses and representatives of businesses in the plant
3 and animal industries of the State, including businesses that
4 grow, harvest, or produce animals and plants or products from
5 animals and plants.

6 (b) The agreements shall include:

7 (1) Readiness activities that:

8 (A) Prevent unwanted organisms from entering the
9 State; and

10 (B) Detect unwanted organisms; and

11 (2) Response activities that:

12 (A) Facilitate the immediate investigation of an
13 unwanted organism after detection, including
14 timely reporting of the unwanted organism's
15 detection to the department;

16 (B) Minimize the impact of the unwanted organism on
17 natural and physical resources, human health, and
18 overseas market access for Hawaii products;

19 (C) Control the spread of an unwanted organism;

20 (D) Reduce the geographical distribution of an
21 unwanted organism;



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(E) Eradicate the unwanted organism; and

(F) Include providing the department with relevant information for posting to the pest dashboard pursuant to section 141-3.5.

(c) A violation of an applicable readiness plan shall be subject to penalties under section 150A-14.

(d) In no case shall a member of an industry that is a party to a biosecurity government-industry agreement be liable for costs arising from the performance of activities pursuant to this section.

(e) The department shall establish a working group comprising members or representatives of private industry signatories to any biosecurity government-industry agreement, for joint decision-making pursuant to this section."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: Mike Hubbard



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Report Title:

DAB; Biosecurity Government-Industry Agreements; Liability;
Costs; Working Group

Description:

Amends section 150A-58, Hawaii Revised Statute, to clarify that signatory industries to a biosecurity government-industry agreement shall not be liable for costs related to performing activities pursuant to the agreement. Requires the Department of Agriculture and Biosecurity to establish a working group that comprises signatories of the biosecurity government-industry agreements for joint-decision making.

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

