

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



GOV. MSG. NO. 1269

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

June 26, 2026

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Third State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Nadine K. Nakamura  
Speaker, and Members of the  
House of Representatives  
Thirty-Third State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on June 26, 2026, the following bill was signed into law:

S.B. NO. 2153, S.D. 2, H.D. 1,  
C.D. 1

RELATING TO AGRICULTURE.  
**ACT 167**

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

1           SECTION 1. The legislature finds that in the State, land  
2 is a precious and limited resource, and zoning laws often  
3 distinguish between land used for agricultural purposes and  
4 other uses, such as residential or commercial development. The  
5 lack of a uniform standard for what constitutes a bona fide  
6 farmer can lead to discrepancies in the way agricultural zoning  
7 is applied. Landholders who are not truly engaged in farming  
8 may take advantage of agricultural zoning designations,  
9 potentially reducing available agricultural land and undermining  
10 the State's efforts to preserve land for commercial agricultural  
11 activities. This creates conflicts with the preservation and  
12 allocation of agricultural resources, which should be reserved  
13 for farmers who are engaged in genuine farming activities.

14           The legislature acknowledges that some of the persistent  
15 difficulties in Hawaii agriculture have been reconciling the  
16 diversity of agricultural practices with the need for a uniform,  
17 enforceable standard that prevents abuse of agricultural tax



1 classifications and land entitlements, incorporating the breadth  
2 and scope of agricultural activity in the State and providing  
3 comprehensive language that successfully incorporates county  
4 level zoning and property tax ordinances regarding land and  
5 water usage.

6 The purpose of this Act is to require the department of  
7 agriculture and biosecurity to convene a bona fide farmer  
8 working group to develop multi-tiered, matrix-based definitions  
9 for the terms "bona fide farmer" and "bona fide agricultural  
10 activity".

11 SECTION 2. (a) The department of agriculture and  
12 biosecurity shall convene a bona fide farmer working group to  
13 develop multi-tiered, matrix-based definitions for the terms  
14 "bona fide farmer" and "bona fide agricultural activity".

15 (b) The bona fide farmer working group shall consist of  
16 the following members:

17 (1) The chairperson of the board of agriculture and  
18 biosecurity, or the chairperson's designee, who shall  
19 serve as the chair of the working group;

20 (2) The chairperson of the board of trustees of the office  
21 of Hawaiian affairs, or the chairperson's designee;



- 1           (3) The executive director of the Hawaii Farm Bureau, or  
2           the executive director's designee, who shall be  
3           invited by the chair of the working group;
- 4           (4) The president and chief executive officer of the  
5           Hawaii Farmers Union United, or the president and  
6           chief executive officer's designee, who shall be  
7           invited by the chair of the working group;
- 8           (5) The president of the Hawaii Cattlemen's Council, or  
9           the president's designee, who shall be invited by the  
10          chair of the working group; and
- 11          (6) The president of the Hawaii Floriculture and Nursery  
12          Association, or the president's designee, who shall be  
13          invited by the chair of the working group.
- 14          (c) The chair of the bona fide farmer working group may  
15          invite other representatives of interested organizations with  
16          relevant experience and expertise to participate in the working  
17          group, as necessary.
- 18          (d) In developing the multi-tiered, matrix-based  
19          definitions for the terms "bona fide farmer" and "bona fide  
20          agricultural activity", the bona fide farmer working group shall  
21          consider the following tiers, determine the individuals that are



1 to be included in each tier, and examine the feasibility of  
2 implementing the tier system when considering the different  
3 types of farming operations in the State:

4 (1) Tier I. Entry-level and transitional farmers. Tier I  
5 shall recognize bona fide entry-level and transitional  
6 farms and ensure access to land, water, and  
7 agricultural support resources during the  
8 establishment or recovery phase of a farm;

9 (2) Tier II. Small-scale and diversified farmers. Tier  
10 II shall recognize bona fide small-scale and  
11 diversified farms without imposing unrealistic or  
12 strictly uniform income thresholds;

13 (3) Tier III. Commercial and professional farmers. Tier  
14 III shall recognize bona fide commercial and  
15 professional farms and ensure accountability for  
16 operators whose primary livelihood is derived from  
17 agriculture while recognizing sector-specific economic  
18 realities; and

19 (4) Tier IV. Corporate and institutional agricultural  
20 enterprises. Tier IV shall recognize bona fide  
21 corporate and institutional agricultural enterprises



1           and ensure that large-scale agricultural enterprises  
2           maintain genuine agricultural operations and do not  
3           use the designation of "bona fide farmer" or "bona  
4           fide agricultural activity" for the purposes of land  
5           speculation or residential development.

6           (e) Members of the bona fide farmer working group shall  
7           serve without compensation but shall be reimbursed for  
8           reasonable expenses, including travel expenses, necessary for  
9           the performance of their duties.

10          (f) The bona fide farmer working group shall submit a  
11          report of its findings and recommendations, including any  
12          proposed legislation, to the legislature no later than twenty  
13          days prior to the convening of the regular session of 2028.

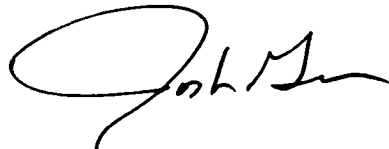
14          (g) The bona fide farmer working group shall cease to  
15          exist on June 30, 2028.

16          SECTION 3. This Act shall take effect on July 1, 2026.



S.B. NO. 2153  
S.D. 2  
H.D. 1  
C.D. 1

APPROVED this 26th day of June , 2026


A handwritten signature in black ink, appearing to read "John M.", written in a cursive style.


GOVERNOR OF THE STATE OF HAWAII

**THE SENATE OF THE STATE OF HAWAI'I**

Date: May 1, 2026  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Third Legislature of the State of Hawai'i, Regular Session of 2026.

  
President of the Senate

  
Clerk of the Senate

SB No. 2153, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 6, 2026  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2026.



Nadine K. Nakamura  
Speaker  
House of Representatives



Brian L. Takeshita  
Chief Clerk  
House of Representatives