
A BILL FOR AN ACT

RELATING TO CESSPOOLS.

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

1 PART I

2 SECTION 1. The legislature finds that the health of
3 Hawaii's people and quality of Hawaii's waters are being harmed
4 by pollution from cesspools. Hawaii has more than eighty
5 thousand cesspools that discharge about fifty million gallons of
6 wastewater into the State's groundwater every day. Cesspools
7 are antiquated, substandard systems that damage public health;
8 pollute drinking water; and lower water quality in streams,
9 groundwaters, nearshore marine areas, and the ocean. Cesspool
10 pollution also harms public recreation and the precious coral
11 reefs on which Hawaii's economy, shoreline, fisheries, and
12 native species depend.

13 The purpose of this Act is to:

- 14 (1) Allow certain extensions of the deadline for cesspool
15 conversions;
- 16 (2) Establish a goal for the department of health to
17 prioritize the upgrade, conversion, or connection of



1 cesspools that pose the highest risk to human health
 2 or the environment; and
 3 (3) Authorize and appropriate funds to the department of
 4 health to retain qualified consultants as necessary to
 5 identify necessary public outreach and education
 6 resources and tools and develop a comprehensive public
 7 outreach strategy and website to serve as a statewide
 8 clearinghouse for information and resources for
 9 property owners and wastewater industry professionals
 10 related to cesspool upgrade, conversion, and
 11 connection.

PART II

13 SECTION 2. Section 342D-72, Hawaii Revised Statutes, is
 14 amended to read as follows:

15 "**§342D-72 Cesspools; mandatory upgrade, conversion, or**
 16 **connection.** (a) Before January 1, 2050, every cesspool in the
 17 State, excluding cesspools granted exemptions by the director of
 18 health pursuant to subsection (b), shall be:

19 (1) Upgraded or converted to a director-approved
 20 wastewater system; or

21 (2) Connected to a sewerage system.



1 (b) The director of health may grant exemptions from the
2 requirements of subsection (a) to property owners of cesspools
3 that apply for an exemption and present documentation showing a
4 legitimate reason that makes it infeasible to upgrade, convert,
5 or connect the cesspools. For the purposes of this subsection,
6 a legitimate reason shall include but not be limited to:

- 7 (1) Small lot size;
- 8 (2) Steep topography;
- 9 (3) Poor soils[~~;~~];
- 10 (4) Accessibility issues[~~;~~]; or
- 11 (5) A planned development of sewerage upgrades to an area.

12 (c) The department may grant extensions of up to five
13 years at a time of the deadline under subsection (a) based on an
14 applicant's demonstration of:

- 15 (1) Efforts made to pay for or finance the cesspool
16 upgrade, conversion, or connection; and
- 17 (2) Financial inability to pay for or finance the cesspool
18 upgrade, conversion, or connection;

19 provided that the department may adopt rules pursuant to chapter
20 91 necessary to effectuate the purposes of this subsection.



- 1 (1) Conduct and supervise research programs for the
2 purpose of determining the causes, effects, and
3 hazards of water pollution, the quality of the
4 receiving water and the means to monitor the quality
5 of water, or to effect the proper disposal of sewage,
6 drainage, and waste;
- 7 (2) With the approval of the governor, cooperate with, and
8 receive money from the federal government, or any
9 political subdivision of the State or from private
10 sources for the study and control of water pollution;
11 [~~and~~]
- 12 (3) Conduct and supervise state educational and training
13 programs on water pollution prevention, control, and
14 abatement, including the preparation and distribution
15 of information relating to water pollution[~~-~~]; and
- 16 (4) In consultation with the counties, nonprofit
17 organizations, and wastewater industry professionals:
18 (A) Identify necessary resources and tools for public
19 outreach and education, including necessary
20 funding and timelines, to meet the requirements
21 of section 342D-72;



- 1 (B) Develop a comprehensive public outreach strategy
- 2 for the State and counties to educate property
- 3 owners on cesspool upgrade, conversion, and
- 4 connection options and resources; and
- 5 (C) Develop a statewide website for information and
- 6 resources for property owners and wastewater
- 7 industry professionals, which may include
- 8 resources, priority level maps, cesspool impacts,
- 9 financing options, exemptions, county plans, and
- 10 any other relevant information."

11 SECTION 4. There is appropriated out of the general
 12 revenues of the State of Hawaii the sum of \$ or so
 13 much thereof as may be necessary for fiscal year 2026-2027 for
 14 the department of health to retain qualified consultants, as
 15 necessary, to identify necessary public outreach and education
 16 resources and tools, and develop a comprehensive public outreach
 17 strategy and website to provide property owners and wastewater
 18 industry professionals with information and resources regarding
 19 the State's cesspool upgrade, conversion, and connection
 20 requirements and deadlines.



Report Title:

Cesspools; Mandatory Upgrade, Conversion, or Connection;
Extensions; Goal; Public Outreach and Education; Appropriation

Description:

PART II: Allows certain extensions of the deadline for cesspool conversions. Establishes a goal for the Department of Health to prioritize the upgrade, conversion, or connection of cesspools that pose the highest risk to human health or the environment.
PART III: Authorizes and appropriates funds to the Department of Health to retain qualified consultants as necessary to identify necessary public outreach and education resources and tools and develop a comprehensive public outreach strategy and website to educate property owners and wastewater industry professionals about information and resources regarding the State's cesspool upgrade, conversion, and connection requirements and deadlines. Effective 7/1/3000. (HD1)

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