THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 177

JAN 15 2025

A BILL FOR AN ACT

RELATING TO AQUACULTURE.

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

SECTION 1. Chapter 141, Hawaii Revised Statutes, is amended by adding a new section to part IV to be appropriately designated and to read as follows:

"**§141- Aquatic livestock import assessment and approval process; rules.** The division of animal industry shall have the power to adopt, amend, and repeal rules not inconsistent with law, to develop an assessment and approval process to import and move aquatic livestock in the State. This process shall:

(1) Be based on the framework maintained by the department pursuant to this chapter and chapter 142;

(2) Include pre-arrival disease testing requirements, entry inspection, and post-arrival inspection; and

(3) Require quarantine or depopulation of any aquatic animals as necessary."

SECTION 2. Section 141-51, Hawaii Revised Statutes, is amended by adding three new definitions to be appropriately inserted and to read as follows:

""Aquatic livestock" means various species of domestic and non-domestic fish, crustaceans, and mollusks that are propagated and raised for food, restorative activities, or similar commercial purposes.

"Biocontainment" means the methods, procedures, facility features, and containment or safety equipment for infectious materials and animals in the aquatic livestock environment where these materials and animals are potentially handled or maintained. "Biocontainment" includes preventing the release of infectious animal species and associated pathogens into the environment.

"Biological aquatic risk" means the combination of the consequences of an event and the associated likelihood of its occurrence, where biological material is the source of harm, whether from an escaped aquatic livestock species or associated pathogens or disease."

SECTION 3. Section 141-52, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) There is established within the department an aquaculture program that shall:

(1) Monitor actions taken by industry and by federal, state, county, and private agencies in activities relating to aquaculture, and promote and support worthwhile aquaculture activities;

(2) Serve as an information clearinghouse for aquaculture activities;

(3) Coordinate development projects to investigate and solve biological and technical problems involved in raising selected species with commercial potential;

(4) Actively seek federal funding for aquaculture activities;

(5) Undertake activities required to develop and expand the aquaculture industry[~~; and~~], which shall include:

(A) Developing a biological aquatic risk-based framework for an assessment and approval process for aquatic livestock that categorizes aquatic livestock species based on the probability and consequence of the establishment of a feral population; and

(B) Developing biocontainment standards that establish physical and operational requirements; and

(6) Perform other functions and activities that may be assigned by law."

SECTION 4. Section 161-6, Hawaii Revised Statutes, is amended to read as follows:

"**[~~[~~]§161-6[~~]~~] Division of animal industry.** The division of animal industry of the department of agriculture shall administer this chapter subject to the supervision of the board. [~~The~~] Except as provided by section 141- , the board may delegate any of its powers under this chapter, except the power to make rules and regulations, or may direct any of its duties to be performed by any appropriate agents, officers, or employees of the board.

The board may employ on a full or part-time basis veterinarians and poultry inspectors, subject to chapter 76, to carry out a uniform inspection system of poultry or poultry products throughout the State. All poultry inspectors shall be under the supervision and control of a veterinarian employed by the board."

SECTION 5. The division of animal industry shall develop a biological aquatic risk-based framework for the assessment and approval process to import and move aquatic livestock in the State. In developing the framework, the division of animal industry shall consider:

(1) Relevant standards established by the United States Department of Agriculture;

(2) Current aquatic livestock policies and development issues;

(3) Best practices of aquaculture industry; and

(4) The protection of indigenous species as defined in section 195D-2, Hawaii Revised Statutes.

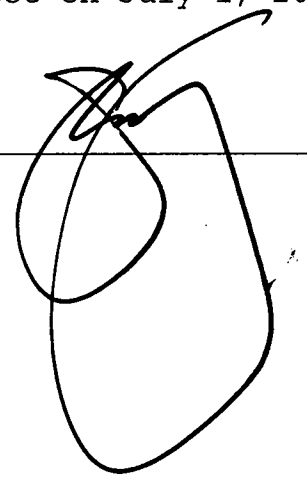
SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of $1,000,000 or so much thereof as may be necessary for fiscal year 2025-2026 and the same sum or so much thereof as may be necessary for fiscal year 2026-2027 for the division of animal industry to develop a biological aquatic risk-based framework pursuant to the requirements of this Act.

The sums appropriated shall be expended by the department of agriculture for the purposes of this Act.

SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 8. This Act shall take effect on July 1, 2025.

INTRODUCED BY: _____



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Report Title:
DOA; Division of Animal Industry; Aquaculture Program; Import Assessment; Biological Aquatic Risk-Based Framework; Biocontainment Standards; Aquatic Livestock; Appropriations

Description:
Authorizes the Division of Animal Industry of the Department of Agriculture to adopt, amend, and repeal rules to develop an assessment and approval process to import and move aquatic livestock in the State. Requires the Aquaculture Program to develop a risk-based framework and biocontainment standards for the aquatic livestock assessment and approval process. Makes appropriations.

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