THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 352

JAN 15 2025

A BILL FOR AN ACT

RELATING TO PESTICIDES.

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

SECTION 1. The legislature finds that pesticide use is associated with neurological deficits and acute health effects in children. Scientific research conducted by academic institutions and the Environmental Protection Agency has demonstrated that pesticides sprayed on agricultural fields can drift off site, causing adverse health effects. Drift can occur through spray, mist, fumes, or odor during application, or through volatilization of previously treated areas.

The legislature further finds that Act 45, Session Laws of Hawaii 2018, created a ban on chlorpyrifos--an excellent example of state regulatory action to protect the public from neurologically damaging pesticides. However, the legislature also finds that the one hundred foot buffer zone for schools is insufficient. Pesticide drift can occur at distances up to 0.8 mile, or 4,224 feet, from the site of application. The legislature additionally finds that scientific evidence supports a one-half mile buffer from schools and public parks to prevent

acute health effects and long-term neurological impacts on Hawai‘i's children.

The purpose of this Act is to:

(1) Require the department of agriculture to use consistent units of measurement in its summary to the public on restricted use pesticides used; and

(2) Prohibit restricted use pesticides from being applied within one-half mile of schools or state or county public parks.

SECTION 2. Section 149A-27, Hawaii Revised Statutes, is amended to read as follows:

"**[~~§~~] §149A-27 [~~§~~] Public reports; contents.** The department shall produce a summary, for public disclosure, by county, that includes:

(1) The total quantities used, <u>in a consistent unit of measurement,</u> by federal and state registrations or permit numbers, commercial product names, and active ingredients, for each restricted use pesticide used; and

(2) The amount of area in the county in which the restricted use application occurred."

SECTION 3. Section 149A-28, Hawaii Revised Statutes, is amended to read as follows:

"[~~[~~]§149A-28[~~]~~] **Buffer zones.** Beginning January 1, [~~2019,~~] 2025, no person shall apply a restricted use pesticide on or within [~~one hundred feet~~] one-half mile of a school property during normal school hours[~~,~~] or a state or county public park; provided that this section shall not apply to whole structure fumigation; provided further that if this section is determined to conflict with any pesticide application information listed on the pesticide label, the more restrictive provision shall apply."

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

INTRODUCED BY: _____

S.B. NO. 352

Report Title:
DOA; Pesticides; Buffer Zones; Restricted Use Pesticides; Consistent Unit of Measurement

Description:
Requires the Department of Agriculture to use consistent units of measurement in its summary to the public on the amounts of restricted use pesticides used. Establishes a one-half mile buffer zone for pesticides around schools and state and county public parks.

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