THE SENATE
THIRTY-THIRD LEGISLATURE, 2025
STATE OF HAWAII

S.B. NO. 496

JAN 17 2025

A BILL FOR AN ACT

RELATING TO AGRICULTURE.

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

SECTION 1. The legislature finds that the absence of a clear and comprehensive definition for "bona fide farmer" in the State has several far-reaching impacts, including inconsistencies in allocating agricultural resources, confusion in implementing tax and land use policies, and difficulties in achieving sustainable agricultural goals. Establishing clear, universal definitions for the term "bona fide farmer" and "bona fide agricultural activity" would provide a foundation for more effective policy implementation, ensure that resources are directed to those truly engaged in farming, and help the State achieve its agricultural and environmental objectives.

Accordingly, the purpose of this Act is to require the board of agriculture to define the terms "bona fide farmer" and "bona fide agricultural activity".

SECTION 2. (a) The board of agriculture shall draft comprehensive definitions for the terms "bona fide farmer" and

"bona fide agricultural activity" to be placed in section 141-1, Hawaii Revised Statutes.

(b) The definition for "bona fide farmer" shall outline the following criteria:

(1) Minimum income threshold;

(2) Primary occupation;

(3) Farm size or scale; and

(4) Commercial focus.

The definition for "bona fide farmer" also shall include the term "bona fide agricultural activity".

(c) The department of agriculture shall submit a report of the drafted definitions for the terms "bona fide farmer" and "bona fide agricultural activity", including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2026.

SECTION 3. This Act shall take effect upon its approval.

INTRODUCED BY: Hunt M. Rochelle

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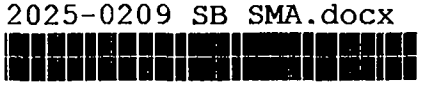
Report Title:
BOA; Bona Fide Farmer; Bona Fide Agricultural Activity; Definitions; Report

Description:
Requires the Board of Agriculture to define the terms "bona fide farmer" and "bona fide agricultural activity". Requires a report to the Legislature.

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