

STAND. COM. REP. NO. **3699**

Honolulu, Hawaii

**APR 10 2026**

RE: H.B. No. 1749  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Sir:

Your Committees on Commerce and Consumer Protection and Ways and Means, to which was referred H.B. No. 1749, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CESSPOOLS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require sellers to provide buyers with a cesspool disclosure form before the execution of a real estate purchase contract;
- (2) Establish standards for the cesspool disclosure form by November 1, 2026; and
- (3) Establish penalties.

Your Committees received testimony in support of this measure from the Department of Land and Natural Resources, Office of Planning and Sustainable Development, University of Hawai'i Sea Grant College Program and Water Resources Research Center, Hawaii Reef and Ocean Coalition, Hawai'i Climate Change and Health Working Group, Hawai'i Association of REALTORS, WAI: Wastewater Alternatives and Innovations, and three individuals.



Your Committees received comments on this measure from the Department of Health.

Your Committees find that the current lack of a standardized wastewater system disclosure in real estate transactions can create significant financial risks for homebuyers, who may unknowingly inherit the substantial costs of mandatory cesspool conversion. This measure would ensure that buyers are made aware of existing wastewater systems, fostering a more equitable and transparent real estate market while advancing the State's 2050 cesspool conversion deadline.

As affirmed by the records of votes of the members of your Committees on Commerce and Consumer Protection and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1749, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committees on Commerce and Consumer Protection and Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair

  
HARRETI KEOHOKALOLE, Chair

The Senate  
 Thirty-Third Legislature  
 State of Hawai'i

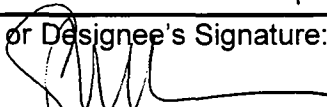
**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:
HB1749 HD2,SD1	AEN/HHS, CPN/WAM	04/07/2026
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is:		
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310
<input type="checkbox"/> Recommit 2313		
Members	Aye	Aye (WR)
Nay	Excused	
KEOHOKALOLE, Jarrett (C)	✓	
FUKUNAGA, Carol (VC)	✓	
LAMOSAO, Rachele	✓	
MCKELVEY, Angus L.K.	✓	
AWA, Brenton		✓
<b>TOTAL</b>	<b>4</b>	<b>1</b>
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
<i>Carol Fukunaga</i>		
Distribution:		
Original File with Committee Report	Yellow Committee	Pink Drafting Agency

\*Only one measure per Record of Votes

The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1749, HD2, SD1	AEN/HHS, CPN/WAM	4/7/2024		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input checked="" type="checkbox"/> Pass, unamended 2312	<input type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
DECOITE, Lynn	X			
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris				X
RICHARDS, III, Herbert M. "Tim"				X
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	11	0	0	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink		
File with Committee Report	Committee	Drafting Agency		

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