

Honolulu, Hawaii

FEB 17 , 2026

RE: H.B. No. 1921  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Madame:

Your Committee on Energy & Environmental Protection, to which was referred H.B. No. 1921 entitled:

"A BILL FOR AN ACT RELATING TO CESSPOOLS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Allow an existing cesspool that lawfully serves a single dwelling unit in a priority level 3 area to continue serving that dwelling unit and additional bedrooms constructed on the same parcel, subject to certain conditions; and
- (2) Authorize the Department of Health to adopt rules for the restriction of additional bedrooms where evidence demonstrates that continued cesspool uses impact water quality or human health.

Your Committee received testimony in support of this measure from the Hawai'i Association of REALTORS; Grassroot Institute of Hawaii; and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Department of Health and WaiHome LLC.



Your Committee finds that Hawaii's severe shortage of affordable housing has led many families to add bedrooms to existing homes. Your Committee further finds that homes served by cesspools in priority level 3 areas are further away from sensitive environmental assets and pose less risk to human and environmental health than cesspools in priority level 1 and 2 areas. Your Committee recognizes that currently, homes served by cesspools in priority level 3 areas are prohibited from having additional bedrooms served by an existing cesspool. This measure ensures that homes served by priority level 3 cesspools can add additional bedrooms that can be served by the existing cesspool, under certain conditions.

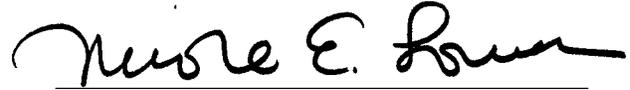
Your Committee has amended this measure by:

- (1) Clarifying that the authorization for an existing cesspool to serve additional bedrooms applies to bedrooms constructed on the same parcel and within the existing dwelling or dwelling unit, not in a detached structure;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Energy & Environmental Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1921, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1921, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on  
behalf of the members of the  
Committee on Energy &  
Environmental Protection,



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NICOLE E. LOWEN, Chair



