

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2022
S.D. 1

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

Sir:

Your Committee on Water, Land, Culture and the Arts, to which was referred S.B. No. 2022 entitled:

"A BILL FOR AN ACT RELATING TO STATE WATER CODE PENALTIES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Add a minimum penalty and maximum penalty per violation of the State Water Code;
- (2) Authorize the Commission on Water Resource Management to consider each day that a violation exists or continues to exist as a separate offense;
- (3) Establish factors the Commission on Water Resource Management must consider when determining the amount of the penalty; and
- (4) Increase maximum fines every five years from 2031 to 2046.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, Ulupono Initiative, and one individual.



Your Committee received comments on this measure from the Agribusiness Development Corporation and Honolulu Board of Water Supply.

Your Committee finds that, to assist the Department of Land and Natural Resources and Commission on Water Resource Management in their mission to protect the State's water resources, the State Water Code's penalties and fines must be amended and increased to serve as an effective deterrence to violators. This measure will therefore strengthen the State Water Code by enabling the Commission on Water Resource Management to better protect the State's water resources by imposing harsher fines and penalties on violators of the State Water Code.

Accordingly, your Committee has amended this measure by:

- (1) Changing the amount of each fine specified in the measure to an unspecified amount;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion;
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committee notes that this measure, as amended, contains fines for unspecified amounts. Should your Committee on Judiciary choose to deliberate on this measure, your Committee respectfully requests that it consider inserting appropriate amounts.

As affirmed by the record of votes of the members of your Committee on Water, Land, Culture and the Arts that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2022, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2022, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Water, Land,
Culture and the Arts,



CHRIS LEE, Chair



