

STAND. COM. REP. NO. 3041

Honolulu, Hawaii

MAR 06 2026

RE: S.B. No. 2169
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 Judiciary, to which was referred S.B. No. 2169, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE AGRIBUSINESS DEVELOPMENT CORPORATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Agribusiness Development Corporation to acquire by condemnation any real property or interest in real property under certain conditions; and
- (2) Prohibit any real property acquired by the Agribusiness Development Corporation by condemnation from subsequently being transferred or taken for any other public use without the Corporation's consent.

Your Committee received testimony in support of this measure from the Agribusiness Development Corporation, Hawai'i Farm Bureau, and one individual.

Your Committee received comments on this measure from the Department of Land and Natural Resources.

Your Committee finds that one of the most persistent challenges facing the State's agricultural sector is its inability



to assemble, protect, or access land and infrastructure necessary for viable food production. Fragmented ownership, long-term vacancy speculative holding, and unresolved access issues can prevent otherwise feasible agricultural projects from moving forward. Your Committee further finds that despite the Agribusiness Development Corporation's broad authority to acquire and manage lands, existing law does not afford the Corporation explicit statutory authority to acquire lands or easements by condemnation for public agricultural purposes, thereby impeding its mission to assist local producers in overcoming structural barriers to agricultural growth. This measure strengthens the State's ability to support food production, protect agricultural lands, and steward public investment in a responsible manner by enabling the Agribusiness Development Corporation to acquire real property or interest in real property by condemnation for the long-term benefit of the State's people, environment, and economy.

Your Committee notes the concerns raised in testimony by the Department of Land and Natural Resources regarding whether the condemnation powers conferred to the Agribusiness Development Corporation were intended to apply to condemning public or state lands. Due to time constraints, your Committee was unable to secure prior concurrence regarding this concern. Your Committee finds that this issue raises concerns that merit further consideration and respectfully requests that subsequent Committees to which this measure is referred examine this issue as it moves through the legislative process.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2169, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB 216A SDI	Committee Referral: EDT, JDC	Date: 2/27/26		
<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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
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				

*Only one measure per Record of Votes