

ACT 239

S.B. NO. 2583

A Bill for an Act Relating to Composting Toilets.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that Act 187, Session Laws of Hawaii 2015, authorized the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems. Composting toilets use no water and facilitate the production of compost that can be used to enrich the soil. In certain areas of Hawaii, geological features or the limits of existing infrastructure have made the use of conventional flush and septic systems impracticable. In such areas, the legislature finds that composting toilets are an effective way to provide toilet facilities to underserved or remote populations.

The legislature further finds that homeless individuals living in encampments frequently suffer from a lack of adequate toilet facilities. Such encampments often exist in areas where geological features such as hard volcanic rock and a shallow water table or a lack of existing infrastructure make the installation of conventional toilets impracticable. Composting toilets have already been proposed as a means to bring much-needed toilet facilities to homeless encampments in the State.

The purpose of this Act is to mandate the counties to approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems, thereby benefiting the people living in those communities and the health and welfare of the State as a whole.

SECTION 2. Section 27-21.6, Hawaii Revised Statutes, is amended to read as follows:

“§27-21.6 Functions reassigned to the counties. The following functions are hereby reassigned to the several counties:

- (1) The medical care of inmates of county jails;
- (2) The rendering of medical investigatory services requested by the police;
- (3) Physical examinations of employees to the extent that such functions had been performed immediately prior to the adoption of Act 97, Session Laws of Hawaii 1965;
- (4) The care and treatment of county workers' compensation cases to the extent that such functions had been performed immediately prior to the adoption of Act 97, Session Laws of Hawaii 1965; and
- (5) The regulation of the design, construction, and operation of individual wastewater systems and private wastewater treatment works; provided that:
 - (A) The transfer of this function to each county shall take place on the date that the expenditure of start-up funds is made by the State to such county for this purpose; and
 - (B) The counties ~~may~~ shall approve the installation and use of composting toilets in areas that are inaccessible to municipal wastewater systems. As used in this subparagraph, “composting toilet” means a toilet that uses no water or very little water and uses natural processes to treat waste.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved July 12, 2016.)