

ACT 119

H.B. NO. 1936

A Bill for an Act Relating to the Environmental Courts.

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

SECTION 1. Section 604A-2, Hawaii Revised Statutes, is amended by amending its title and subsection (a) to read as follows:

“[§604A-2] Jurisdiction. (a) The environmental courts shall have exclusive, original jurisdiction over all proceedings, including judicial review of administrative proceedings and proceedings for declaratory judgment on the validity of agency rules authorized under chapter 91, arising under chapters 6D, 6E, 6K, 128D, 339, 339D, 340A, 340E, 342B, 342C, 342D, 342E, 342F, 342G, 342H, 342I, 342J, 342L, 342P, 343, and 508C, and title 12; provided that ~~upon~~:

- (1) The environmental courts shall not have exclusive, original jurisdiction over any proceedings relating to any motor vehicle, motorcycle, motor scooter, or moped parking violations adopted under agency rules pursuant to chapter 91 and authorized under chapters 6D, 6E, 6K, 128D, 339, 339D, 340A, 340E, 342B, 342C, 342D, 342E, 342F, 342G, 342H, 342I, 342J, 342L, 342P, 343, and 508C, and title 12; and
- (2) Upon the motion of a party or sua sponte by the chief justice, the chief justice may assign to the environmental courts issues before the courts when the chief justice determines that due to their subject matter the assignment is required to ensure the uniform application of environmental laws throughout the State or to otherwise effectuate the purpose of this chapter.”

SECTION 2. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect on July 1, 2018.

(Approved July 5, 2018.)