

ACT 224

H.B. NO. 735

A Bill for an Act Relating to Wastewater.

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

SECTION 1. The legislature finds that existing administrative rules allow an individual wastewater system to serve no more than five bedrooms, whether the five bedrooms are in one dwelling unit or two dwelling units. However, the definition of a dwelling unit under chapter 62, Hawaii Administrative Rules, does not clearly consider the varied types of development, such as dwelling units that may have exterior bedrooms without a kitchen or guest houses with a bathroom but without a kitchen. Certain dwelling units may be prohibited from using an individual wastewater system solely because the bedrooms are outside the dwelling unit.

Therefore, the purpose of this Act is to allow an individual wastewater system to serve up to five bedrooms, regardless of the number of dwellings, dwelling units, or accessory units, whether the dwellings, dwelling units, or accessory units are attached or detached, with certain exclusions.

SECTION 2. Chapter 342D, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§342D- Individual wastewater system; dwelling units. An individual wastewater system may serve up to five bedrooms, regardless of the number of:

- (1) Dwellings or dwelling units; or
- (2) Accessory units as defined by the counties,

whether the dwellings, dwelling units, or accessory units are attached or detached; provided that this section shall not apply to any new requests to connect additional dwelling units to an existing cesspool.”

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SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect upon its approval.
(Approved June 25, 2025.)

Note

1. Edited pursuant to HRS §23G-16.5.