

---

---

# A BILL FOR AN ACT

RELATING TO AGRICULTURE.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. Section 165-4, Hawaii Revised Statutes, is  
2 amended to read as follows:
- 3           "**§165-4 Right to farm.** No court, official, public  
4 servant, or public employee shall declare any farming operation  
5 a nuisance for any reason if the farming operation has been  
6 conducted in a manner consistent with generally accepted  
7 agricultural and management practices. There shall be a  
8 rebuttable presumption that a farming operation does not  
9 constitute a nuisance. The right of farmers and ranchers to  
10 engage in modern farming and ranching practices shall be forever  
11 guaranteed in this State. No law, ordinance, or resolution of  
12 any unit of local government shall be enacted that abridges the  
13 right of farmers and ranchers to employ agricultural technology,  
14 modern livestock production, and ranching practices not  
15 prohibited by federal or state law, rules, or regulations."
- 16           SECTION 2. New statutory material is underscored.
- 17           SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Agriculture; Right to Farm

**Description:**

Amends Hawaii's Right to Farm Act to ensure that counties cannot enact laws, ordinances, or resolutions that limit the rights of farmers and ranchers to engage in modern farming and ranching practices. (SD1 Proposed)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

