
A BILL FOR AN ACT

RELATING TO REAL PROPERTY.

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

1 SECTION 1. Chapter 421J, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§421J- Personal agriculture allowed. (a)
5 Notwithstanding any provision of an association document to the
6 contrary, no association shall prohibit or unreasonably restrict
7 the use of a unit owner's enclosed yard area for personal
8 agriculture.

9 (b) This section shall apply only to enclosed yard areas
10 that are designated for the exclusive use of the unit owner.

11 (c) This section shall not:

12 (1) Apply to provisions in an association document that
13 impose reasonable restrictions on the use of a unit
14 owner's enclosed yard area for personal agriculture;
15 or

16 (2) Prohibit an association from applying rules and
17 regulations requiring that dead plant material and



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1 weeds, with the exception of straw, mulch, compost,
2 and other organic materials intended to encourage
3 vegetation and retention of moisture in the soil, be
4 regularly cleared from the enclosed yard area.

5 (d) For purposes of this section:

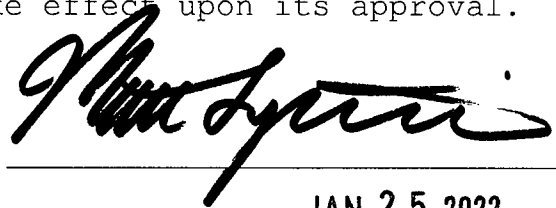
6 "Personal agriculture" means a use of land where an
7 individual cultivates edible plant crops for personal use or
8 donation.

9 "Reasonable restrictions" means restrictions that do not
10 significantly increase the cost of engaging in personal
11 agriculture or significantly decrease its efficiency."

12 SECTION 2. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

14 INTRODUCED BY:



JAN 25 2022



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Report Title:

Planned Community Associations; Personal Agriculture; Enclosed Yard Area

Description:

Specifies that planned community associations cannot prohibit or unreasonably restrict the use of a unit owner's enclosed yard area for personal agriculture.

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

