
A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. Section 171-13, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§171-13 Disposition of public lands[-]; prior approval by**
4 **legislature.** (a) Except as otherwise provided by law and

5 subject to other provisions of this chapter, the board may:

6 (1) Dispose of public land in fee simple, by lease, lease
7 with option to purchase, license, or permit; and

8 (2) Grant easement by direct negotiation or otherwise for
9 particular purposes in perpetuity on such terms as may
10 be set by the board, subject to reverter to the State
11 upon termination or abandonment of the specific
12 purpose for which it was granted, provided the sale
13 price of such easement shall be determined pursuant to
14 section 171-17(b).

15 (b) No person shall be eligible to purchase or lease
16 public lands, or to be granted a license, permit, or easement
17 covering public lands, who has had during the five years
18 preceding the date of disposition a previous sale, lease,



1 license, permit, or easement covering public lands cancelled for
2 failure to satisfy the terms and conditions thereof.

3 (c) Any disposition of public lands in fee simple, by
4 lease with option to purchase, or grant of easement in
5 perpetuity shall be subject to the prior approval of the
6 legislature by concurrent resolution. The department shall
7 submit for introduction to the legislature a resolution for
8 review of action on any proposed disposition in fee simple, by
9 lease with option to purchase, or grant of easement in
10 perpetuity to be consummated by the board wherein deeds, leases,
11 or grants will be executed by the parties together with the
12 following information:

13 (1) The location and area of the parcel of land to be
14 disposed of;

15 (2) The appraised value of the land to be disposed of;

16 (3) The name of the real estate appraiser that appraised
17 the land to be disposed of;

18 (4) The name of the proposed grantee or lessee; and

19 (5) Copies of the dispositive documents.

20 This subsection shall not apply to dispositions in fee simple,
21 by lease with option to purchase, or grant of easement in
22 perpetuity of any remnant or grant to any state or county

1 department or agency for roadway or infrastructure
2 improvements."

3 SECTION 2. Chapter 206E, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§206E- Disposition of property, prior approval by
7 legislature. (a) Any disposition of lands by the authority in
8 fee simple, by lease with option to purchase, or grant of
9 easement in perpetuity shall be subject to the prior approval of
10 the legislature by concurrent resolution. The authority shall
11 submit for introduction to the legislature a resolution for
12 review of action on any proposed disposition in fee simple, by
13 lease with option to purchase, or grant of easement in
14 perpetuity to be consummated by the authority wherein deeds,
15 leases, or grants will be executed by the parties together with
16 the following information:

17 (1) The location and area of the parcel of land to be
18 disposed of;

19 (2) The appraised value of the land to be disposed of;

20 (3) The name of the real estate appraiser that appraised
21 the land to be disposed of;

22 (4) The name of the proposed grantee or lessee; and



1 (5) Copies of the dispositive documents.

2 (b) This section shall not apply to any disposition of
3 land in fee simple, by lease with option to purchase, or grant
4 of easement in perpetuity of a remnant, as defined in section
5 171-52, or a grant to any state or county department or agency
6 for roadway or infrastructure improvements."

7 SECTION 3. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun, before its effective date.

10 SECTION 4. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect upon its approval.



HB 2112

HD1

Report Title:

Public Lands; Disposition

Description:

Requires the prior approval of the legislature of any disposition of public lands in fee simple, by lease with option to purchase, or by grant of easement in perpetuity by BLNR or HCDA; remnants and grants to State and county agencies for roadway or infrastructure improvements not included. (HB2112 HD1)

