
A BILL FOR AN ACT

RELATING TO LANDS CONTROLLED BY THE STATE.

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

1 SECTION 1. Notwithstanding any other law to the contrary,
2 including section 171-50(c), Hawaii Revised Statutes, the board
3 may:

4 (1) Exchange, in accordance with section 171-50(a) and
5 (b), Hawaii Revised Statutes; or

6 (2) Sell, at fair market value in accordance with section
7 171-17, Hawaii Revised Statutes,

8 but not both, by direct negotiation and without recourse to
9 public auction, no more than fifteen acres of public land as
10 defined under section 171-2, Hawaii Revised Statutes, to an
11 eleemosynary organization that has been certified to be tax-
12 exempt under section 501(c)(1) or (3) of the Internal Revenue
13 Code of 1986, as amended, to be used as the site of a community
14 center on the following conditions:

15 (1) The lands shall be used by the eleemosynary
16 organization for a community center that shall be made
17 available to the public without regard to race, creed,



1 color, national origin, sex, sexual orientation, or
2 mental or physical handicap;

3 (2) The eleemosynary organization shall demonstrate
4 sources of funding sufficient to construct and
5 maintain a multi-purpose community center with
6 sufficient size and facilities to serve a community of
7 twenty-five thousand people, including:

8 (A) A major aquatic center with two swimming pools;

9 (B) An athletic complex with a gymnasium that houses
10 a national collegiate athletic association
11 regulation-sized basketball court;

12 (C) A performing arts center;

13 (D) An educational and vocational training center;

14 and

15 (E) At least three hundred parking stalls;

16 (3) The major donors contributing to the capital
17 improvements or maintenance of the community center
18 require the eleemosynary organization to own the land
19 in fee simple instead of a lease under section
20 171-43.1, Hawaii Revised Statutes; and

21 (4) If the land is not used or ceases to be used for the
22 purpose set forth in paragraph (1), ownership of the



1 land and any improvements constructed thereon shall
2 revert to the State; provided that any pending
3 liabilities assigned to the property, eleemosynary
4 organization, or other party in effect prior to the
5 reversion shall not be transferred to the State.

6 SECTION 2. This Act shall take effect on approval;
7 provided that it shall be repealed on December 31, 2010.



S.B. NO. 1924
S.D. 2
H.D. 2
C.D. 1

Report Title:

State Lands; Legislative Approval Prior to Sale or Exchange

Description:

Allows the department of land and natural resources to sell or exchange up to fifteen acres of state land to eleemosynary organizations under certain conditions without legislative approval for three years. (CD1)

