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# A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1           SECTION 1. In 2007, the governor of Hawaii convened a  
2 statewide task force comprised of representatives of the State,  
3 counties, business, labor, developers, architects, nonprofit  
4 providers of services, and the legislature to recommend  
5 solutions to address barriers to affordable housing, pursuant to  
6 the program of the United States Department of Housing and Urban  
7 Development, entitled National Call to Action for Affordable  
8 Housing Through Regulatory Reform.

9           The legislature finds that the need for more affordable  
10 housing in Hawaii affects all segments of society. Nonetheless,  
11 there has been an apparent problem with the counties in their  
12 delay to affirmatively accept or reject public infrastructure  
13 improvements that have been developed as part of a housing  
14 project.

15           The purpose of this Act is to require counties to accept or  
16 reject a dedication of infrastructure request from an affordable

1 rental housing project within a specified time and under certain  
2 conditions, or the request is deemed dedicated.

3 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
4 by adding a new section to be appropriately designated and to  
5 read as follows:

6 **"§46- Infrastructure dedication; affordable housing.**

7 (a) A request for dedication of infrastructure for affordable  
8 housing, as defined in section 201H-57, shall be deemed  
9 dedicated to the county if the county does not accept or reject  
10 the dedication request within ninety days of the filing of the  
11 dedication request, provided that:

12 (1) Applicable meter and connection fees and utility costs  
13 relating to the dedicated infrastructure have been  
14 paid;

15 (2) The dedicated infrastructure conforms to applicable  
16 county standards in effect at the time of  
17 construction; and

18 (3) The completion of the improvements comprising a  
19 dedicated infrastructure is granted approval by the  
20 county.

21 (b) For the purposes of this section, "infrastructure"  
22 shall:

- 1        (1) Have the same meaning as in section 171-131; and
- 2        (2) Connect to the infrastructure of the county."

3        SECTION 3. This Act shall apply to any affordable housing  
4 project that is constructed or is in the process of construction  
5 as of the effective date of this Act, without regard to whether  
6 there has been a request for dedication of infrastructure, as  
7 defined in section 2 of this Act, by the effective date of this  
8 Act.

9        SECTION 4. New statutory material is underscored.

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

**Report Title:**

Counties; Affordable Housing; Infrastructure

**Description:**

Requires counties to accept or reject a public infrastructure dedication, under specified conditions, as part of an affordable housing project, or the infrastructure is deemed dedicated.  
(SD2)