

JAN 22 2010

S.B. NO. 2594

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A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. Section 201H-1, Hawaii Revised Statutes, is  
2 amended by adding a new definition to be appropriately inserted  
3 and to read as follows:

4 "Qualified person or firm" means an individual,  
5 partnership, joint venture, corporation, association, limited  
6 liability partnership, limited liability company, business,  
7 trust, or any organized group of persons or legal entities, or  
8 any combination thereof, which possesses all professional or  
9 vocational licenses necessary to do business in the State of  
10 Hawaii in conjunction with the planning, design, financing,  
11 construction (including materials and supplies for new  
12 construction, moderate rehabilitation, and substantial  
13 rehabilitation), sale, or rental of eligible housing projects."

14 SECTION 2. Section 237-1, Hawaii Revised Statutes, is  
15 amended by adding a new definition to be appropriately inserted  
16 and to read as follows:



1       "Qualified person or firm" means an individual,  
2 partnership, joint venture, corporation, association, limited  
3 liability partnership, limited liability company, business,  
4 trust, or any organized group of persons or legal entities, or  
5 any combination thereof, which possesses all professional or  
6 vocational licenses necessary to do business in the State of  
7 Hawaii in conjunction with the planning, design, financing,  
8 construction (including materials and supplies for new  
9 construction, moderate rehabilitation, and substantial  
10 rehabilitation), sale, or rental of eligible housing projects."

11       SECTION 3. Section 201H-36, Hawaii Revised Statutes, is  
12 amended by amending subsection (a) to read as follows:

13       "(a) In accordance with section 237-29, the corporation  
14 may approve and certify for exemption from general excise taxes  
15 any qualified person or firm involved with a newly constructed,  
16 or moderately or substantially rehabilitated project:

- 17       (1) Developed under this part;
- 18       (2) Developed under a government assistance program  
19 approved by the corporation, including but not limited  
20 to the United States Department of Agriculture 502  
21 program and Federal Housing Administration 235  
22 program;



1 (3) Developed under the sponsorship of a private nonprofit  
2 organization providing home rehabilitation or new  
3 homes for qualified families in need of decent, low-  
4 cost housing; or

5 (4) Developed by a qualified person or firm to provide  
6 affordable rental housing where at least fifty per  
7 cent of the available units are for households [~~with~~  
8 incomes] that include a qualified resident, as defined  
9 by section 201H-32, and that have a gross annual  
10 income at or below eighty per cent of the area median  
11 family income as determined by the United States  
12 Department of Housing and Urban Development, of which  
13 at least twenty per cent of the available units are  
14 for households [~~with incomes~~] that include a qualified  
15 resident, as defined by section 201H-32, and that have  
16 a gross annual income at or below sixty per cent of  
17 the area median family income as determined by the  
18 United States Department of Housing and Urban  
19 Development[~~-~~]; provided that an exemption from  
20 general excise taxes granted to qualified persons or  
21 firms pursuant to this paragraph shall apply to only  
22 that portion of rental income received from households



1                   that meet the residency and gross annual income  
2                   requirements set forth in this paragraph."

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

5           SECTION 5. This Act shall take effect on July 1, 2010.

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INTRODUCED BY: Norman Sakonp  
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**Report Title:**

Affordable Housing; GET Exemption; Residency Requirement

**Description:**

Adds a residency requirement for households in a newly constructed or moderately or substantially rehabilitated housing project developed by a qualified person or firm in order for that person or firm to be considered to receive a general excise tax exemption.

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

