

JAN 25 2010

A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING.

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

1 SECTION 1. The legislature finds that the lack of
2 affordable housing in Hawaii remains an obstacle to
3 significantly reducing the cost of living for many residents. A
4 2008 report from the Affordable Housing Regulatory Barriers Task
5 Force found that one obstacle to affordable housing development
6 is a delay caused when counties fail to affirmatively accept or
7 reject public infrastructure improvements that are developed as
8 part of a housing project. This delay increases the costs of
9 the project, which in turn increases the cost of homes.

10 In 2009 the Legislature passed Act 142 to require counties
11 to accept a dedication of infrastructure request for affordable
12 housing within a specified time and under certain conditions, or
13 the infrastructure is deemed dedicated. The purpose of this Act
14 is to clarify the provisions of Act 142 to facilitate the
15 expeditious development of affordable housing.

16 SECTION 2. Section 46-15.25, Hawaii Revised Statutes, is
17 amended by amending subsection (a) to read as follows:

S.B. NO. 2681

1 "(a) Infrastructure for affordable housing shall be deemed
2 dedicated to the county if the county does not accept or reject
3 the request for dedication of infrastructure within [ninety]
4 sixty days of the filing of the dedication request; provided
5 that:

6 (1) Applicable meter and connection fees and utility costs
7 relating to the dedicated infrastructure have been
8 paid; and

9 (2) The dedicated infrastructure conforms to applicable
10 county standards in effect at the time of
11 construction[+ and

12 ~~(3) The completion of the improvements comprising a~~
13 ~~dedicated infrastructure is granted approval by the~~
14 ~~county]."~~

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 Statutory material to be repealed is bracketed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

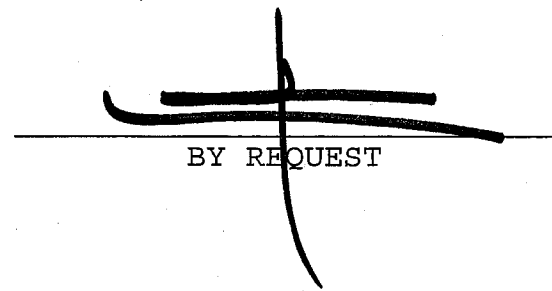
17 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:


BY REQUEST

Report Title:

Counties; Affordable Housing; Infrastructure

Description:

Requires counties within 60 days to accept or reject a public infrastructure dedication, under specified conditions, as part of an affordable housing project, or the infrastructure is deemed dedicated.

SB. NO. 2681

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development and Tourism

TITLE: A BILL FOR AN ACT RELATING TO AFFORDABLE HOUSING

PURPOSE: The purpose of this bill is to shorten the timeframe for the dedication of infrastructure that is part of an affordable housing development.

MEANS: Amend section 46-15.25(a), Hawaii Revised Statutes.

JUSTIFICATION: In 2007, Governor Lingle convened the Affordable Housing Regulatory Barriers Task Force in response to the U.S. Department of Housing and Urban Development's National Call to Action. The Task Force's main objective is to identify regulatory barriers to affordable housing development in Hawaii and to recommend appropriate solutions.

The Task Force discovered that in some cases counties do not act to affirmatively accept public infrastructure that has been developed as part of an affordable housing project. When infrastructure dedication is delayed project financing may be jeopardized.

Accordingly, this bill clarifies the timeframe established in Act 142, Session Laws of Hawaii 2009, for counties to accept public infrastructure that is part of an affordable housing development when the infrastructure is built in accordance with county standards. This will ensure that affordable housing projects progress within reasonable lengths of time and the housing needs of the state are continuing to be met.

Impact on the public: Clarifies the timeframe for public infrastructure dedication will ensure expeditious delivery of affordable housing to the public.

Impact on the department and other agencies: A clear standard for the treatment of affordable housing infrastructure will assist counties in the execution of their work.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED
AGENCIES: Department of Hawaiian Home Lands, and
Counties.

EFFECTIVE DATE: Upon approval.