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# A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

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

1           SECTION 1. The legislature finds that the development of  
2 additional public housing is essential to the well-being of  
3 Hawaii's poorest residents. The ability of the State to provide  
4 an adequate supply of safe, affordable public housing can be  
5 enhanced by public-private partnerships that authorize private  
6 entities to undertake all or a portion of the study, planning,  
7 design, development, financing, acquisition, installation,  
8 construction, improvement, operation, or maintenance of public  
9 housing facilities. Public-private partnership public housing  
10 projects provide a sound economic investment opportunity for the  
11 private sector and the State with increased options to develop  
12 this critically needed housing.

13           The purpose of this Act is to encourage joint ventures with  
14 private parties for the development of public housing.

15           SECTION 2. Chapter 356D, Hawaii Revised Statutes, is  
16 amended by adding a new section to be appropriately designated  
17 and to read as follows:



1        "§356D-        Development of property; partnership or  
2 development agreement.   (a) Any public housing project may be  
3 developed under sections 356D-11 and 356D-12 by the authority in  
4 partnership or under a development agreement with a private  
5 party; provided that a written partnership or development  
6 agreement is executed by the authority. At a minimum, the  
7 partnership or development agreement shall provide for:

8        (1) A determination by the authority that the partnership  
9        or development agreement is for a public purpose; and

10       (2) Final approval by the authority of the plans and  
11       specifications for the public housing project.

12       (b) For the development of public housing projects  
13 pursuant to subsection (a), except as provided by federal law or  
14 regulation, the authority shall not be subject to chapters 103  
15 and 103D or any and all other requirements of law for  
16 competitive bidding for partnership or development agreements,  
17 construction contracts, or other contracts; provided that the  
18 authority shall develop internal policies and procedures for the  
19 procurement of goods, services, and construction, consistent  
20 with the goals of public accountability and public procurement  
21 practices.



1        (c) The authority shall submit an annual report to the  
2 legislature, no later than twenty days prior to the convening of  
3 each regular session, on the status of all public housing  
4 projects being developed using partnership or development  
5 agreements pursuant to subsection (a).

6        (d) The authority may adopt rules pursuant to chapter 91  
7 necessary for the purposes of this section."

8        SECTION 3. New statutory material is underscored.

9        SECTION 4. This Act shall take effect on July 1, 2012.



**Report Title:**

Hawaii Public Housing Authority; Public-Private Partnerships

**Description:**

Authorizes Hawaii Public Housing Authority to develop public housing projects under a partnership or development agreement with a private party. Provides exemptions from chapters 103 and 103D, Hawaii Revised Statutes, if not prohibited by federal law or regulation. Requires annual report to the Legislature. Effective July 1, 2012. (HB1398 CD1)

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

