
A BILL FOR AN ACT

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT, 1920, AS AMENDED.

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

1 SECTION 1. Title 2, Hawaiian Homes Commission Act, 1920,
2 as amended, is amended by adding a new section to be
3 appropriately designated and to read as follows:

4 "§ . Building code and building-permitting
5 requirements. (a) By rules adopted pursuant to chapter 91,
6 Hawaii Revised Statutes, no later than _____, the department
7 of Hawaiian home lands shall adopt building codes and building-
8 permitting requirements for:

9 (1) The development and construction of residential
10 developments as set forth in section 204.5, including
11 housing units for native Hawaiians under section
12 207.5; and

13 (2) The construction, reconstruction, improvement,
14 alteration, or repair of public facilities as set
15 forth in section 204.5.

16 (b) In adopting building codes and building-permitting
17 requirements, the following shall be appropriately and
18 adequately addressed:



1 (1) Basic public health and safety issues and concerns;

2 (2) Interconnection with county and state public
3 facilities, including without limitation, streets,
4 storm drainage systems, water facilities and systems,
5 utility and service corridors, and utility lines,
6 where applicable, to ensure adequate service to the
7 department's residential developments and public
8 facilities; and

9 (3) The necessity of giving timely notice to the
10 applicable county of effects that the department's
11 residential development and public facility activities
12 under this section will have on county public
13 facilities, including water and sewer use and traffic
14 and transportation.

15 (c) Upon the adoption of rules as set forth in subsection
16 (a), the department, with respect to residential development and
17 public facility activities as described in this section, shall
18 be exempt from:

19 (1) State and county building codes and building-
20 permitting requirements;



- 1 (2) The requirements of section 132-9, Hawaii Revised
- 2 Statutes, relating to the submission of building plans
- 3 to the county fire chief for approval; and
- 4 (3) Section 321-11, Hawaii Revised Statutes, relating to
- 5 certain department of health requirements."

6 SECTION 2. Section 207.5, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "[+]§207.5.[+] **Housing development.** The department is
9 authorized to develop and construct single-family and
10 multifamily units for housing native Hawaiians. The method of
11 disposition, including rentals, as well as the terms,
12 conditions, covenants, and restrictions as to the use and
13 occupancy of such single-family and multifamily units shall be
14 prescribed by rules adopted by the department pursuant to
15 chapter 91[-] and shall be exempt from department of health
16 occupancy requirements."

17 SECTION 3. The provisions of the amendments made by this
18 Act to the Hawaiian Homes Commission Act, 1920, as amended, are
19 declared to be severable, and if any section, sentence, clause,
20 or phrase, or the application thereof to any person or
21 circumstances is held ineffective because there is a requirement
22 of having the consent of the United States to take effect, then

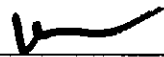


1 that portion only shall take effect upon the granting of consent
2 by the United States and effectiveness of the remainder of these
3 amendments or the application thereof shall not be affected.

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

6 SECTION 5. This Act shall take effect on .
7

INTRODUCED BY: _____



JAN 17 2012



H.B. NO. 1871

Report Title:

DHHL Lessees; Building Codes and Building-permitting Requirements; Exemption.

Description:

Exempts Department of Hawaiian Home Lands lessees from building codes and building-permitting requirements. Requires the Department of Hawaiian Home Lands to establish its own building code and building-permitting requirements. Requires the Department of Hawaiian Home Lands to provide notice of water, sewer, and traffic effects.

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

