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# A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1           SECTION 1. The legislature finds that the Hawaii community  
2 development authority was established to help determine  
3 community development programs; to cooperate with private and  
4 other government agencies to implement those community  
5 development plans; and increase affordable housing, parks, and  
6 public facilities in certain districts. Pursuant to chapter  
7 206E, Hawaii Revised Statutes, the authority is authorized to  
8 sell state-controlled real property. However, under chapter  
9 171, Hawaii Revised Statutes, the sale of public lands requires  
10 the prior approval of the legislature by concurrent resolution  
11 after a sale of exchange proposal is made and reviewed.

12           The legislature also finds that under certain circumstances  
13 the authority may find it profitable or beneficial to expedite a  
14 real property transaction. Such situations have arisen and may  
15 arise in the future in the Kakaako community development  
16 district. In anticipation of these opportunities, the  
17 legislature finds the need to be informed of the costs and  
18 benefits of selling or purchasing various properties located in



1 the Kakaako community development district in order to make  
2 decisions regarding the approval of the sale of these public  
3 lands.

4 The purpose of the Act is to:

- 5 (1) Limit the prohibition on the sale or assigning of the  
6 fee simple interest of certain lands in the Kakaako  
7 community development district to the makai lands in  
8 the Kakaako community development district; and  
9 (2) Require the authority to determine the costs and  
10 benefits of selling and purchasing certain properties,  
11 except makai lands, within the Kakaako community  
12 development district.

13 SECTION 2. Section 206E-31.5, Hawaii Revised Statutes, is  
14 amended to read as follows:

15 "[+]§206E-31.5[+] **Prohibitions.** Anything contained in  
16 this chapter to the contrary notwithstanding, the authority is  
17 prohibited from:

- 18 (1) Selling or otherwise assigning the fee simple interest  
19 in any makai lands in the Kakaako community  
20 development district to which the authority in its  
21 corporate capacity holds title, except with respect  
22 to:



- 1           (A) Utility easements;
- 2           (B) Remnants as defined in section 171-52;
- 3           (C) Grants to any state or county department or
- 4                 agency; or
- 5           (D) Private entities for purposes of any easement,
- 6                 roadway, or infrastructure improvements; or
- 7       (2) Approving any plan or proposal for any residential
- 8             development in that portion of the Kakaako community
- 9             development district makai of Ala Moana boulevard and
- 10            between Kewalo basin and the foreign trade zone."

11           SECTION 3. The Hawaii community development authority

12 shall determine the costs and benefits of selling and purchasing

13 certain properties, excluding makai lands, within the Kakaako

14 community development district. The Hawaii community

15 development authority shall submit a report to the legislature,

16 including its findings, recommendations, and any proposed

17 legislation, no later than ninety days after the effective date

18 of this Act.

19           SECTION 4. Statutory material to be repealed is bracketed

20 and stricken. New statutory material is underscored.

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



**Report Title:**

Hawaii Community Development Authority; Kakaako Community  
Development District

**Description:**

Prohibits the sale of Kakaako makai lands by HCDA. Requires the HCDA to determine the costs and benefits of selling and purchasing certain properties, except makai lands, within the Kakaako community development district. Requires the report to be submitted to the legislature 90 days after the effective date of this Act. (SD1)

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

