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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; cooperate with private and other  
4 government agencies to implement those community development  
5 plans; and increase affordable housing, parks, and public  
6 facilities in certain districts. Pursuant to chapter 206E,  
7 Hawaii Revised Statutes, the authority is authorized to sell  
8 state-controlled real property. However, under chapter 171,  
9 Hawaii Revised Statutes, the sale of public lands requires the  
10 prior approval of the legislature by concurrent resolution after  
11 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 this 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;
- 9 (2) Exempt certain parcels from section 206E-31.5, Hawaii  
10 Revised Statutes, which prohibits the Hawaii community  
11 development authority from approving any plan or  
12 proposal for any residential development in that  
13 portion of the Kakaako community development district  
14 makai of Ala Moana boulevard and between Kewalo basin  
15 and the foreign trade zone; and
- 16 (3) Require the authority to determine the costs and  
17 benefits of selling and purchasing certain properties,  
18 except makai lands, within the Kakaako community  
19 development district.

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



1           "~~§~~206E-31.5~~§~~ **Prohibitions.** Anything contained in  
2 this chapter to the contrary notwithstanding, the authority is  
3 prohibited from:

4           (1) Selling or otherwise assigning the fee simple interest  
5           in any makai lands in the Kakaako community  
6           development district to which the authority in its  
7           corporate capacity holds title, except with respect  
8           to:

9           (A) Utility easements;

10           (B) Remnants as defined in section 171-52;

11           (C) Grants to any state or county department or  
12           agency; or

13           (D) Private entities for purposes of any easement,  
14           roadway, or infrastructure improvements; or

15           (2) Approving any plan or proposal for any residential  
16           development in that portion of the Kakaako community  
17           development district makai of Ala Moana boulevard and  
18           between Kewalo basin and the foreign trade zone~~[-]~~,  
19           excluding lot E, identified as tax map key 2-1-58-6,  
20           and lot I, identified as tax map key 2-1-15-61."

21           SECTION 3. The Hawaii community development authority  
22 shall determine the costs and benefits of selling and purchasing



1 certain properties, excluding makai lands, within the Kakaako  
2 community development district. The Hawaii community  
3 development authority shall submit a report to the legislature,  
4 including its findings, recommendations, and any proposed  
5 legislation, no later than ninety days after the effective date  
6 of this Act.

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

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



**Report Title:**

Hawaii Community Development Authority; Kakaako Community Development District; Residential Development Exemption

**Description:**

Prohibits the sale of Kakaako makai lands by HCDA. Exempts certain parcels from section 206E-31.5, HRS, which prohibits the HCDA from approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana boulevard and between Kewalo basin and the foreign trade zone. 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 no later than 90 days after the effective date of this Act. (SD2)

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

