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# A BILL FOR AN ACT

RELATING TO PUBLIC ACCESS.

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

1 SECTION 1. Section 46-6.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (c) to read as follows:

3 "(c) Upon the dedication of land for a right-of-way, as  
4 required by this section [~~and acceptance by the county~~], the  
5 county concerned shall [~~thereafter~~]:

- 6 (1) Accept the dedication and assume the cost of  
7 improvements for and the maintenance of the right-of-  
8 way[, ~~and the subdivider shall accordingly be relieved~~  
9 ~~from such costs.~~]; provided that the county may  
10 require, by ordinance, that the subdivider establish  
11 and initially fund a stewardship fund to be controlled  
12 by the county for the improvement and future  
13 maintenance of the right-of-way; or
- 14 (2) Require, by ordinance, that the subdivider, or the  
15 subdivider's successor in interest in the form of a  
16 planned community association, improve and maintain  
17 the right-of-way."



1 SECTION 2. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun, before its effective date.

4 SECTION 3. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2030.



**Report Title:**

Subdivisions; Public Access

**Description:**

Clarifies that where public access is required as a condition of a subdivision, either the county must accept dedication of and maintain the access or identify an entity to own and maintain the access. Authorizes county to require subdivider to provide establishment of a stewardship fund for maintenance purposes. Effective July 1, 2030. (HB453 HD1)

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

