



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

June 27, 2013

GOV. MSG. NO. 1339

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 27, 2013, the following bill was signed into law:

HB1268 HD1 SD1

RELATING TO PUBLIC LANDS
ACT 236 (13)

Aloha
Sincerely,
Neil Abercrombie

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO PUBLIC LANDS.

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

1 SECTION 1. The legislature finds that the nine-hundred-
2 ninety-nine-year homestead program is becoming increasingly
3 difficult to manage, because conflicts often arise between
4 family members who may have an interest in a nine-hundred-
5 ninety-nine-year lease. Existing leases are unique because they
6 can be assigned only to members of the lessee's family.

7 The purpose of this Act is to expand the eligibility of
8 potential assignees of a homestead lease to include trustees of
9 land trusts created for the purposes of managing and holding a
10 homestead for the benefit of the lessee and lessee's family
11 members.

12 SECTION 2. Section 171-99, Hawaii Revised Statutes, is
13 amended by amending subsection (e) to read as follows:

14 "(e) [~~Assignment;~~] Transfer or assignment; certificate of
15 occupation or homestead lease. No existing certificate of
16 occupation or existing homestead lease, or fractional interest
17 thereof, shall be transferable or assignable except by
18 conveyance, devise, bequest, or intestate succession and with



1 the prior approval of the board of land and natural resources;
2 provided that transfer or assignment by conveyance, devise, or
3 bequest shall be limited to a member or members of the
4 occupier's or lessee's family~~[-]~~ or in the case of a homestead
5 lease, to any person or persons designated as a trustee of a
6 land trust.

7 For the purposes of this section~~[, "family"]~~:

8 "Family" means the spouse, reciprocal beneficiary,
9 children, parents, siblings, grandparents, grandchildren,
10 nieces, nephews, a parent's siblings, children of a parent's
11 siblings, and grandchildren of a parent's siblings, of the
12 occupier or lessee.

13 "Land trust" means a trust created for the purposes of
14 managing and holding the homestead leasehold estate for the
15 benefit of the lessee and lessee's family members. The lessee
16 may be the trustee of the trust.

17 All the successors shall be subject to the performance of
18 the unperformed conditions of the certificate of occupation or
19 the homestead lease."

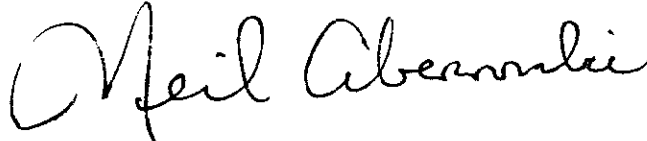
20 SECTION 3. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22



1 SECTION 4. This Act shall take effect upon its approval.

APPROVED this 27 day of JUN , 2013



GOVERNOR OF THE STATE OF HAWAII

