

JAN 24 2013

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# A BILL FOR AN ACT

RELATING TO NOTICE BY THE HAWAII COMMUNITY DEVELOPMENT  
AUTHORITY.

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

1           SECTION 1. The purpose of this Act is to clarify the  
2 notice requirements for public hearings pursuant to section  
3 206E-5.6, Hawaii Revised Statutes. Specifically, the Hawaii  
4 community development authority will be required to publish  
5 statewide notice for an amendment to any of the authority's  
6 community development rules and county-wide notice for the  
7 acceptance of a developer's proposal to develop lands under the  
8 authority's control.

9           SECTION 2. Section 206E-5.6, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11           "(b) The authority shall issue a public notice in  
12 accordance with section 1-28.5 and post the notice on its  
13 website; provided that the decision-making hearing shall not  
14 occur earlier than five business days after the notice is  
15 posted. Notice of public hearings required by subsection (a) (1)  
16 shall be published statewide. Notice of public hearings  
17 required by subsection (a) (2) shall be published county-wide in

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1 the affected county. Prior to rendering a decision, the  
2 authority shall provide the general public with the opportunity  
3 to testify at its decision-making hearing."

4 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:



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BY REQUEST

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S.B. NO. 1028

**Report Title:**

Hawaii Community Development Authority; Public Hearings; Notice

**Description:**

Clarifies notice requirements for Hawaii Community Development Authority public hearings.

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

JUSTIFICATION SHEET

DEPARTMENT: Business, Economic Development, and Tourism

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

PURPOSE: Clarifies the notice requirements for the Hawaii Community Development Authority's public hearings required by section 206E-5.6, Hawaii Revised Statutes.

MEANS: Amend section 206E-5.6(b), Hawaii Revised Statutes.

JUSTIFICATION: Currently, section 206E-5.6(b), Hawaii Revised Statutes, requires the Hawaii Community Development Authority to publish notice of its public hearings. However, the statute does not specify whether the Hawaii Community Development Authority must publish its notice in a publication with statewide or county-wide circulation in order to provide appropriate notice of its hearings. This proposal seeks to clarify that rule-making public hearings require statewide publication, and development plan approval public hearings require county-wide publication in the affected county.

Impact on the public: This amendment will allow the Hawaii Community Development Authority to publish notice of its public hearings to the appropriate audience. The Hawaii Community Development Authority will continue to publish notice on its website and send such notice to persons on its email list.

Impact on the department and other agencies:  
None.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM

DESIGNATION: BED 150.

OTHER AFFECTED

AGENCIES: None.

EFFECTIVE DATE: Upon approval.