JAN 1 8 2013

A BILL FOR AN ACT

RELATING TO DEVELOPMENT OF PUBLIC HOUSING.

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

- 1 SECTION 1. Section 356D-11, Hawaii Revised Statutes, is
- 2 amended to read as follows:
- 3 "\$356D-11 Development of property. (a) The authority, in
- 4 its own behalf or on behalf of any government, may:
- 5 (1) Clear, improve, and rehabilitate property; and
- 6 (2) Plan, develop, construct, and finance public housing
- 7 projects.
- **8** (b) The authority may develop public land in an
- 9 agricultural district subject to the prior approval of the land
- 10 use commission when developing lands greater than five acres in
- 11 size, and public land in a conservation district subject to the
- 12 prior approval of the board of land and natural resources. The
- 13 authority shall not develop state monuments, historical sites,
- 14 or parks. When the authority proposes to develop public land,
- 15 it shall file with the department of land and natural resources
- 16 a petition setting forth such purpose. The petition shall be
- 17 conclusive proof that the intended use is a public use superior
- 18 to that to which the land had been appropriated.

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1 The authority may develop or assist in the development 2 of federal lands with the approval of appropriate federal 3 authorities. 4 The authority shall not develop any public land where 5 the development may endanger the receipt of any federal grant, 6 impair the eliqibility of any government agency for a federal 7 grant, prevent the participation of the federal government in 8 any government program, or impair any covenant between the 9 government and the holder of any bond issued by the government. 10 The authority may contract or sponsor with any county, 11 housing authority, or person, subject to the availability of 12 funds, an experimental or demonstration housing project designed 13 to meet the needs of elders, disabled, displaced or homeless 14 persons, low- and moderate-income persons, government employees, 15 teachers, or university and college students and faculty. 16 The authority may enter into contracts with eligible 17 developers to develop public housing projects in exchange for 18 mixed use development rights. Eligibility of a developer for an 19 exchange pursuant to this subsection shall be determined

pursuant to rules adopted by the authority in accordance with

chapter 91.

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- 1 As used in this subsection, "mixed use development rights" 2 means the right to develop a portion of a public housing project 3 for commercial use. 4 (g) The authority may develop with an eligible developer, 5 or may assist under a government assistance program in the 6 development of, public housing projects. The land planning 7 activities of the authority shall be coordinated with the county 8 planning departments and the county land use plans, policies, 9 and ordinances. 10 Qualifications for developers and contractors shall be provided by rules adopted by the authority in accordance with 11 chapter 91. Any person, if qualified, may act simultaneously as 12 13 developer and contractor. 14 In selecting the eligible developers or in contracting any services or materials for the purposes of this subsection, the 15 16 authority shall be subject to all federal procurement laws and 17 regulations. 18 For purposes of this subsection, "government assistance 19 program" means a public housing program qualified by the 20 authority and administered or operated by the authority or the 21 United States or any of their political subdivisions, agencies, 22 or instrumentalities, corporate or otherwise.
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| i | (h) | In connection with the development of any public |
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| 2 | housing o | welling units under this chapter, the authority may |
| 3 | also develop commercial, industrial, and other properties if it | |
| 4 | determine | es that the uses can be an integral part of the public |
| 5 | housing d | levelopment or benefit to the community in which the |
| 6 | properties are situated. The authority may designate any | |
| 7 | portions | of the public housing development for commercial, |
| 8 | industria | l, or other use, and shall have all the powers granted |
| 9 | under this chapter with respect thereto. The authority may use | |
| 10 | any funding authorized under this chapter to implement this | |
| 11 | subsection | on. |
| 12 | For | purposes of this subsection, the authority shall adopt |
| 13 | rules pur | suant to chapter 91 to provide: |
| 14 | (1) | For the manner of designation of the uses of |
| 15 | | properties; and |
| 16 | (2) | That any commercial, industrial, or other properties |
| 17 | | developed shall be leased at cost or at economic rents |
| 18 | | that are determined by the authority, after appraisal, |
| 19 | | to be consistent with rents or sales prices in similar |
| 20 | | locations or with similar terms. The net proceeds of |
| 21 | | all such sales or leases, less costs to the authority, |

| 1 | shall be deposited in a fund to be designated by the |
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| 2 | authority." |
| 3 | SECTION 2. New statutory material is underscored. |
| 4 | SECTION 3. This Act shall take effect upon its approval. |
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| | INTRODUCED BY: FARANNE CHUM CLARIANS |
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Report Title:

Public Housing Projects; Development

Description:

Authorizes the Hawaii public housing authority to develop public housing projects. Authorizes the Hawaii public housing authority to develop commercial and industrial properties in connection with the development of public housing dwelling units.

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