
A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to part VI, subpart B, to be
3 appropriately designated and to read as follows:

4 "§302A- Limit on construction costs to the State.

5 Construction costs for any single school paid by the State under
6 this part shall not exceed \$ _____."

7 SECTION 2. Section 302A-1603, Hawaii Revised Statutes, is
8 amended as follows:

9 1. By amending the title to read:

10 "§302A-1603 Applicability [~~and~~], exemptions[~~-~~], and
11 reductions."

12 2. By amending subsection (b) to read:

13 "(b) The following shall be exempt from this section:

14 (1) Any form of housing permanently excluding school-aged
15 children, with the necessary covenants or declarations
16 of restrictions recorded on the property;

17 (2) Any form of housing that is or will be paying the
18 transient accommodations tax under chapter 237D;



- 1 (3) All nonresidential development; [~~and~~]
- 2 (4) Any development with an executed education
- 3 contribution agreement or other like document with the
- 4 department for the contribution of school sites or
- 5 payment of fees for school land or school
- 6 construction[-]; and
- 7 (5) Any housing development in which at least forty per
- 8 cent of the units are leased or sold to persons or
- 9 families at or below eighty per cent of the area
- 10 median income as determined by the United States
- 11 Department of Housing and Urban Development; provided
- 12 that:
- 13 (A) In lieu of an exemption, there shall be allowed
- 14 an appropriate reduction of the impact fee for
- 15 the development; and
- 16 (B) In order to ensure that public schools do not
- 17 lose the value of the exempted fees, the
- 18 department of budget and finance shall ensure on
- 19 an annual basis that any loss of revenue in a
- 20 fiscal year resulting from the exemption or
- 21 reduction pursuant to this paragraph is restored



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1 from funds other than from the department of
2 education budget."

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 Statutory material to be repealed is bracketed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

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

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INTRODUCED BY: Richard Leagon
my signature

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Report Title:

School Impact Fees; Exemption; Reduction

Description:

Caps a monetary limit on the State's construction costs for schools to which impact fees apply. Provides an exemption from, or a reduction in, school impact fees for housing developments in which at least forty per cent of the units are rented or sold to persons or families earning up to eighty per cent of the area median income. Ensures lost funds are restored.

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