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FLOOR AMENDMENT No.

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AMENDMENT TO: S.B. No. 987, S.D. 1 H.D. 1

OFFERED BY: Representative Cynthia Thielen

DATE: April 9, 2013

SECTION 1. Senate Bill No. 987 S.D. 1 H.D. 1, RELATING TO IMPACT FEES, is amended as follows:

1. By amending section 1 to read:

"SECTION 1. The legislature finds that it is important to ensure consistency between state and county laws where necessary for efficient and effective governance. One of the major challenges in this regard is the lack of clear policy guidance on the collection of impact fees for new water meters.

The legislature recognizes that current state law does not provide the counties with sufficient flexibility to assess the fee at a time most suited to the type of development in question -- for example, whether prior to the issuance of a building permit, prior to the issuance of a water meter, or upon the installation of a water meter. As a result, the counties are hindered in their ability to timely provide water to projects in need.

The purpose of this Act, therefore, is to facilitate efficient and effective governance by authorizing counties to collect impact fees before or upon issuance of a water meter, as the counties see fit. At the same time, however, it is not the intent or purpose of the legislature to unduly burden an applicant seeking a water meter for a single-family home by requiring that applicant to pay the impact fee in full prior to the county's actual installation of the water meter."

2. By amending section 2 to read:

"SECTION 2. Section 46-146, Hawaii Revised Statutes, is amended to read as follows:


"~~[+]§46-146[+]~~ **Time of assessment and collection of impact fees.** Assessment of impact fees shall be a condition precedent to the issuance of a grading or building permit or water meter and shall be collected in full before or upon issuance of the permit~~[=]~~ or water meter; provided that the counties shall not require an applicant seeking a water meter for a single-family home to pay the impact fee in full prior to the county's installation of the water meter."

3. By amending section 3 to read:

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 Statutory material to be repealed is bracketed and stricken.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

4. By adding a new section 4, to read as follows:

"SECTION 4. This Act shall take effect on July 1, 2013."

<u>CARRIED</u>	<input checked="" type="checkbox"/> <u>FAILED TO CARRY</u>	<u>WITHDRAWN</u>
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