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# A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING ON HAWAIIAN HOME LANDS.

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

1           SECTION 1. Section 46-15.1, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) Each county shall recognize housing units developed  
4 by the department of Hawaiian home lands and issue affordable  
5 housing credits to the department of Hawaiian home lands [with  
6 respect to existing and future Hawaiian home lands projects upon  
7 a request for such credits by the department of Hawaiian home  
8 lands.] in accordance with applicable county ordinances,  
9 resolutions, rules, or memoranda of agreement. The credits  
10 shall be transferable and each housing unit shall be [~~issued on~~  
11 ~~a one unit for one unit basis.~~] eligible for additional credits  
12 as provided by county ordinances, resolutions, rules, or  
13 memoranda of agreement. Credits shall be issued for each  
14 single-family residence, multi-family unit, other residential  
15 unit, whether for purposes of sale or rental, or if allowed  
16 under the county's affordable housing programs, vacant lot,  
17 developed by the department of Hawaiian home lands. [~~The~~] In  
18 accordance with adopted county ordinances, resolutions, rules,



1 or memoranda of agreement, the credits may be applied county-  
2 wide within the same county in which the credits were earned to  
3 satisfy affordable housing obligations imposed by the county on  
4 ~~[market-priced]~~ market-priced residential and non-residential  
5 developments. County-wide or project-specific requirements for  
6 the location of affordable housing units; housing class, use, or  
7 type; construction time; or other county requirements for  
8 affordable housing units shall not impair, restrict, or  
9 condition the county's obligation to apply the credits in full  
10 satisfaction of all county requirements, whether by rule,  
11 ordinance, or particular zoning conditions of a project.

12 For purposes of this section, "affordable housing  
13 obligation" means the requirement imposed by a county,  
14 regardless of the date of its enactment, to develop vacant lots,  
15 single-family residences, multi-family residences, or any other  
16 type of residence for sale or rent to individuals within a  
17 specified income range."

18 SECTION 2. Act 141, Session Laws of Hawaii 2009, is  
19 amended by amending section 3 to read as follows:

20 "SECTION 3. This Act shall take effect on July 1, 2009[+  
21 ~~provided that on June 30, 2015, this Act shall be repealed and~~



1 ~~section 46-15.1, Hawaii Revised Statutes, shall be reenacted in~~  
2 ~~the form in which it read on the day before the approval of the~~  
3 ~~Act]."~~

4 SECTION 3. Act 98, Session Laws of Hawaii 2012, is amended  
5 by amending section 3 to read as follows:

6 "SECTION 3. This Act shall take effect upon its approval [7  
7 ~~and shall be repealed on June 30, 2015, provided that section~~  
8 ~~46-15.1(b), Hawaii Revised Statutes, shall be reenacted pursuant~~  
9 ~~to section 3 of Act 141, Session Laws of Hawaii 2008]."~~

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

12 SECTION 5. This Act shall take effect on June 1, 2050.



**Report Title:**

Affordable Housing Credit; Hawaiian Home Lands

**Description:**

Makes permanent Act 141, SLH 2009, which requires the counties to issue affordable housing credits to DHHL. Makes permanent Act 98, SLH 2012, which requires the counties to issue affordable housing credits for each residential unit developed by DHHL. Requires the issuance of affordable housing credits to DHHL, the transfer of credits by DHHL, and the county-wide application of credits to be in accordance with county ordinances, resolutions, rules, or memoranda of agreement. Effective 6/1/2050. (SD2)

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

