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# A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1           SECTION 1. The legislature finds that Hawaii law provides  
2 that any building, structure, object, district, area, or site  
3 over fifty years old is considered historic property. Further,  
4 current application of historic preservation law requires review  
5 by the state historic preservation division of the department of  
6 land and natural resources prior to the granting of permits for  
7 proposed projects on historic properties. This requirement, in  
8 certain instances, has delayed the granting of permits, which  
9 has had a negative impact on the renovation or replacement of  
10 privately owned single family residences.

11           Concerns have been raised especially due to the increasing  
12 number of private residences that are or will soon be fifty  
13 years old. Beginning around 1950, and particularly after 1960,  
14 was a period of growth in construction of housing to accommodate  
15 the State's rapidly growing population. Some of these  
16 residences are of historic or cultural value, while others are  
17 not.



1           Furthermore, some building projects requiring permitting  
 2 have no effect on the historical property, rendering use of the  
 3 state historic preservation division's limited funds to be an  
 4 inefficient means of preserving single-family homes that may be  
 5 eligible for listing on the Hawaii register of historic places.  
 6 Therefore, it is necessary to focus the State's limited  
 7 resources on only those building projects that will affect  
 8 historic property.

9           The purpose of this Act is to exclude certain single-family  
 10 residences from the definition of historic property for purposes  
 11 of historic preservation reviews.

12           SECTION 2. Section 6E-2, Hawaii Revised Statutes, is  
 13 amended by amending the definition of "historic property" to  
 14 read as follows:

15           "Historic property" means any building, structure, object,  
 16 district, area, or site, including heiau and underwater site,  
 17 which is over fifty years old[-]; provided that privately owned  
 18 single-family residences fifty years or older shall only be  
 19 considered historic properties for the purposes of this chapter  
 20 if the residence is listed on the Hawaii register of historic



1 places, is nominated for listing on the Hawaii register of  
2 historic places, or is located in a historic district."

3 SECTION 3. Properties not included or eligible for listing  
4 on the Hawaii register of historic places shall not be subject  
5 to review under section 6E-42, Hawaii Revised Statutes, and the  
6 counties shall not submit projects affecting such properties to  
7 the department for review under section 6E-42, Hawaii Revised  
8 Statutes.

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

11 SECTION 5. This Act shall take effect on July 1, 2050.



**Report Title:**

Department of Land and Natural Resources; Historic Property;  
Definition

**Description:**

Requires that 50-year-old privately owned single-family residences be considered historic properties for purposes of chapter 6E, HRS, only if they are listed or nominated for listing on the Hawaii register of historic places or located in a historic district. Exempts properties not included or eligible for listing on the Hawaii register of historic places from review under section 6E-42, HRS, and directs the counties to not submit projects affecting such properties for historic review. Effective 7/1/2050. (SD1)

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

