
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. Chapter 46, Hawaii Revised Statutes, is amended
2 by adding a new section to part V to be appropriately designated
3 and to read as follows:

4 "§46- Certain housing projects; automatic approval. (a)

5 A county shall approve, approve with modification, or disapprove
6 an application for a permit necessary for development, pre-
7 development, construction, or substantial rehabilitation that:

8 (1) Commences on a housing development project after July
9 1, 2019, and before July 1, 2026; and

10 (2) Uses moneys from the rental housing revolving fund
11 established under section 201H-202,

12 within sixty days of submission of a completed permit
13 application and full payment of any application fee.

14 (b) An application shall be eligible for approval or
15 approval with modifications pursuant to this section only if the
16 project:

17 (1) Conforms with existing state land use classifications;



1 (2) Is consistent with existing county zoning
2 classifications that allow housing; and

3 (3) Does not require variances for shoreline setbacks or
4 siting in an environmentally or culturally sensitive
5 area.

6 (c) If, on the sixty-first day, an application is not
7 approved, approved with modification, or disapproved by the
8 county, the application shall be deemed approved by the county.

9 (d) Permits issued pursuant to this section shall contain
10 the following language: "This is a rental housing-related
11 permit issued pursuant to section 46- , Hawaii Revised
12 Statutes."

13 (e) An applicant shall comply with all applicable safety
14 and engineering requirements relating to the development, pre-
15 development, construction, or substantial rehabilitation of a
16 housing development project.

17 (f) No action shall be prosecuted or maintained against
18 any county, its officials, or employees on account of actions
19 taken in reviewing, approving, modifying, or disapproving a
20 permit application pursuant to this section.



1 (g) The sixty-day time period established by subsection
2 (a) shall be extended in the event of a natural disaster or
3 state emergency that prevents the applicant, agency, or
4 department from fulfilling application review requirements.

5 (h) If an application is incomplete, the county agency
6 shall notify the applicant in writing within ten business days
7 of submittal of the application. The notice shall inform the
8 applicant of the specific requirements necessary to complete the
9 application. The automatic approval provisions under subsection
10 (a) shall continue to apply to the application only if the
11 applicant satisfies the specific requirements of the notice and
12 submits a complete application within five business days of
13 receipt of the notice."

14 SECTION 2. Chapter 343, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:

17 "§343- **Exception for certain housing projects.**
18 Notwithstanding any law to the contrary, any development, pre-
19 development, construction, or substantial rehabilitation that:

20 (1) Commences on a housing development project after July
21 1, 2019, and before July 1, 2026; and



1 (2) Uses moneys from the rental housing revolving fund
2 established under section 201H-202,
3 shall be exempt from the requirements of this chapter."

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2100;

6 provided that section 2 shall be repealed when the
7 administrative rules regarding the exemptions from the
8 environmental impact statement requirements are adopted by the
9 department of health.



Report Title:

Rental Housing Revolving Fund; County Permits; Environmental Impact Statements

Description:

Requires approval of a permit application submitted by a housing development project that uses moneys from the rental housing revolving fund if a county does not issue a decision on the application within sixty days, subject to certain requirements. Exempts the foregoing projects from environmental impact statement requirements until an update to administrative rules regarding exemptions to environmental impact statement requirements takes effect. (HB1403 HD2)

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

