
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
9 July 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 filing a building permit application and
13 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. New statutory material is underscored.

15 SECTION 3. This Act shall take effect on July 1, 2100.



Report Title:

Rental Housing Revolving Fund; County Permits

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. Effective 7/1/2100. (SD1)

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