
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 discretionary permit necessary for the
7 development, pre-development, construction, or substantial
8 rehabilitation that:

9 (1) Commences on a housing development project after
10 July 1, 2020, and before July 1, 2027; and

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

13 within forty-five days of submission of a complete discretionary
14 permit application and full payment of any application fee.

15 (b) If, on the forty-sixth day, an application is not
16 approved, approved with modification, or disapproved by the
17 county, the application shall be deemed approved by the county.



1 (c) Discretionary permits issued pursuant to this section
2 shall contain the following language: "This is a rental
3 housing-related discretionary permit issued pursuant to
4 section 46- , Hawaii Revised Statutes."

5 (d) An applicant shall comply with all applicable safety
6 and engineering requirements relating to the development,
7 pre-development, construction, or substantial rehabilitation of
8 a housing development project.

9 (e) No action shall be prosecuted or maintained against
10 any county, its officials, or employees on account of actions
11 taken in reviewing, approving, modifying, or disapproving a
12 discretionary permit application pursuant to this section.

13 (f) The forty-five-day time period established by
14 subsection (a) shall be extended in the event of a natural
15 disaster or state emergency that prevents the applicant, agency,
16 or department from fulfilling application review requirements.

17 (g) If an application is incomplete, the county agency
18 shall notify the applicant in writing within ten business days
19 of submittal of the application. The notice shall inform the
20 applicant of the specific requirements necessary to complete the
21 application. The automatic approval provisions under subsection



1 (a) shall continue to apply to the application only if the
2 applicant satisfies the specific requirements of the notice and
3 submits a complete application within five business days of
4 receipt of the notice."

5 SECTION 2. New statutory material is underscored.

6 SECTION 3. This Act shall take effect on July 1, 2020, and
7 shall be repealed on June 30, 2027.



Report Title:

Rental Housing Revolving Fund; County Permits

Description:

Requires a county to approve, approve with modification, or disapprove an application for a discretionary permit necessary for a housing development project that uses moneys from the rental housing revolving fund. Provides for automatic permit approval if a county does not make a timely decision on an application. Sunsets on 6/30/2027. (SD1)

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

