

JAN 17 2020

A BILL FOR AN ACT

RELATING TO PERMIT PROCESSING.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 STATE PERMIT PROCESSING

6 § -1 Definitions. For the purposes of this chapter,
7 unless the context requires otherwise:

8 "Development" means the planning, financing and acquisition
9 of real and personal property; demolition of existing structures
10 and clearance of real property; construction, reconstruction,
11 alteration, or repairing of approaches, streets, sidewalks,
12 utilities, and services, or other site improvements;
13 construction, reconstruction, repair, remodeling, extension,
14 equipment, or furnishing of buildings or other structures; or
15 any combination of the foregoing, of any project. "Development"
16 includes any and all undertakings necessary therefor, and the
17 acquisition of any project, in whole or in part.



1 "Project" means any activity directly undertaken by the
2 State or supported in whole or in part through appropriations,
3 contracts, grants, loans, or other forms of funding assistance
4 from the State or involving any lease, permit, license,
5 certificate, land use change, or other entitlement for use
6 issued by the State.

7 "Substantial rehabilitation" means the improvement of a
8 property to a decent, safe, and sanitary condition that requires
9 more than routine or minor repairs or improvements.

10 "Substantial rehabilitation" includes renovation, alteration, or
11 remodeling to convert or adapt structurally sound property to
12 the design and condition required for a specific use and
13 includes but is not limited to the gutting and extensive
14 reconstruction of a dwelling unit, or cosmetic improvements
15 coupled with the curing of a substantial accumulation of
16 deferred maintenance.

17 § -2 State permits; automatic approval. (a) Beginning
18 July 1, 2020, the State shall approve, approve with
19 modification, or disapprove an application for a permit
20 necessary for the development, pre-development, construction, or
21 substantial rehabilitation of a project within sixty-five days



1 of submission of a complete permit application and full payment
2 of any application fee.

3 (b) If, on the sixty-sixth day, an application is not
4 approved, approved with modification, or disapproved by the
5 State, the application shall be deemed approved by the State.

6 (c) The time period established by subsection (a) shall be
7 extended in the event of a natural disaster or state emergency
8 that prevents the applicant or State from fulfilling application
9 review requirements.

10 (d) If an application is incomplete, the State shall
11 notify the applicant in writing within ten business days of
12 submittal of the application. The notice shall inform the
13 applicant of specific requirements necessary to complete the
14 application. The automatic approval provisions under subsection
15 (b) shall continue to apply to the application only if the
16 applicant satisfies the specific requirements of the notice and
17 submits a complete application within five business days of
18 receipt of the notice.

19 (e) In the event of a conflict between the time period
20 established by this section and the time period established by



1 any other state law for processing of a permit, this section
2 shall control."

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

6 "§46- County permits; automatic approval. (a)
7 Beginning July 1, 2020, an appropriate county agency shall
8 approve, approve with modification, or disapprove an application
9 for a permit necessary for the development, pre-development,
10 construction, or substantial rehabilitation of a project within
11 sixty-five days of submission of a complete permit application
12 and full payment of any application fee.

13 (b) If, on the sixty-sixth day, an application is not
14 approved, approved with modification, or disapproved by the
15 respective county agency, the application shall be deemed
16 approved by the respective county agency.

17 (c) The time period established by subsection (a) shall be
18 extended in the event of a natural disaster or state emergency
19 that prevents the applicant or county agency from fulfilling
20 application review requirements.





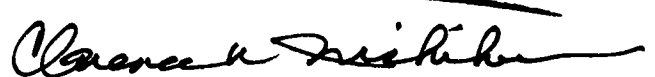
1 (d) If an application is incomplete, the respective county
2 agency shall notify the applicant in writing within ten business
3 days of submittal of the application. The notice shall inform
4 the applicant of specific requirements necessary to complete the
5 application. The automatic approval provisions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

10 SECTION 3. New statutory material is underscored.

11 SECTION 4. This Act shall take effect on July 1, 2020.

12

INTRODUCED BY:



S.B. NO. 2211

Report Title:

Permits; Automatic Approval

Description:

Beginning July 1, 2020, requires the State or an appropriate county agency to approve, approve with modification, or disapprove an application for a permit necessary for the development, pre-development, construction, or substantial rehabilitation of a project within sixty-five days of submission. Provides for automatic permit approval if the State or respective county agency does not make a timely decision on the application.

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

