

JAN 17 2020

A BILL FOR AN ACT

RELATING TO HOUSING DEVELOPMENT.

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

1 SECTION 1. Section 302A-1603, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§302A-1603 Applicability and exemptions. (a) Except as
4 provided in ~~[subsection]~~ subsections (b) [7] and (c), any person
5 who seeks to develop a new residential development within a
6 designated school impact district requiring:

- 7 (1) A county subdivision approval;
8 (2) A county building permit; or
9 (3) A condominium property regime approval for the
10 project,

11 shall be required to fulfill the land component impact fee or
12 fee in lieu requirement and construction cost component impact
13 fee requirement of the department ~~[, including all government~~
14 ~~housing projects and projects processed pursuant to sections 46-~~
15 ~~15.1 and 201H-38]~~.

16 (b) The following shall be exempt from this section:



S.B. NO. 2616

- 1 (1) Any form of housing permanently excluding school-aged
- 2 children, with the necessary covenants or declarations
- 3 of restrictions recorded on the property;
- 4 (2) Any form of housing that is or will be paying the
- 5 transient accommodations tax under chapter 237D;
- 6 (3) All nonresidential development; and
- 7 (4) Any development with an executed education
- 8 contribution agreement or other like document with the
- 9 department for the contribution of school sites or
- 10 payment of fees for school land or school
- 11 construction.

12 (c) The following shall be exempt from fifty per cent of
13 the fees pursuant to subsection (a):

- 14 (1) Any housing project certified or approved for a
- 15 general excise tax exemption under section 201H-36,
- 16 and all government housing projects and projects
- 17 processed pursuant to sections 46-15.1 and 201H-38;
- 18 (2) Any alteration to, or expansion of, an existing
- 19 dwelling unit where no additional dwelling unit is
- 20 created and the unit's use has not changed, even if



1 the alteration or expansion may require a county
2 building permit;

3 (3) Accessory dwelling units that are legally permitted by
4 a county; provided that, as used in this paragraph,
5 "accessory dwelling unit" means a second dwelling
6 unit, including separate kitchen, bedroom, and
7 bathroom facilities, attached or detached from the
8 primary dwelling unit on the same lot;

9 (4) Ohana dwelling units that are legally permitted by a
10 county; provided that, as used in this paragraph,
11 "ohana dwelling unit" means a second dwelling unit,
12 including separate kitchen, bedroom, and bathroom
13 facilities, attached or detached from the primary
14 dwelling unit on the same lot, which is occupied by
15 persons who are related by blood, marriage, or
16 adoption to the persons residing in the first dwelling
17 unit; provided further that an ohana dwelling unit for
18 which a building permit was obtained before September
19 10, 1992, may be occupied by persons who are not
20 related by blood, marriage, or adoption to the persons
21 residing in the first dwelling unit; and



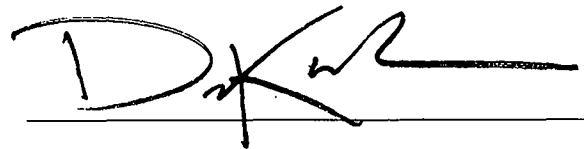
1 (5) Any housing project or property developed by the
2 Hawaii public housing authority."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect on July 1, 2020.

6

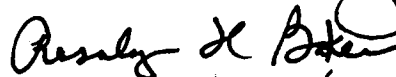
INTRODUCED BY:







 A.C. Kirkland

 Ashley H. Baker

 Michelle R. Sidani





 Clarence K. Mikiha

 Ernie R. George



S.B. NO. 2616

Report Title:

Housing Development; School Impact Fees; Exemption

Description:

Exempts affordable housing units, additions to existing dwelling units, accessory dwelling units, ohana dwelling units, and affordable housing projects developed by the Hawaii Public Housing Authority from fifty per cent of school impact fee requirements.

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

