

JAN 22 2021

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# A BILL FOR AN ACT

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



1 necessary therefor, and the acquisition of any project, in whole  
2 or in part.

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

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

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

19 § -2 State permits; automatic approval. (a) Beginning  
20 July 1, 2021, the State shall approve, approve with  
21 modification, or disapprove an application for a permit

1 necessary for the development, pre-development, construction, or  
2 substantial rehabilitation of a project within sixty-five days  
3 of submission of a complete permit application and full payment  
4 of any application fee.

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

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

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



1 (e) In the event of a conflict between the time period  
2 established by this section and the time period established by  
3 any other state law for processing of a permit, this section  
4 shall control."

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

8 **"§46- County permits; automatic approval. (a)**  
9 Beginning July 1, 2021, an appropriate county agency shall  
10 approve, approve with modification, or disapprove an application  
11 for a permit necessary for the development, pre-development,  
12 construction, or substantial rehabilitation of a project within  
13 sixty-five days of submission of a complete permit application  
14 and full payment of any application fee.

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

19 (c) The time period established by subsection (a) shall be  
20 extended in the event of a natural disaster or state emergency



1 that prevents the applicant or county agency from fulfilling  
2 application review requirements.

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

12 SECTION 3. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14 INTRODUCED BY: 



# S.B. NO. 743

**Report Title:**

Permits; Automatic Approval

**Description:**

Beginning July 1, 2021, 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.*

