
A BILL FOR AN ACT

RELATING TO THE PUBLIC HOUSING AUTHORITY.

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

1 SECTION 1. Section 356D-1, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding a new definition to be appropriately inserted
4 and to read:

5 "Housing" means any home, house, residence, building,
6 apartment, living quarters, abode, domicile, or dwelling unit
7 designed principally for the purpose of sheltering people."

8 2. By amending the definition of "public housing project"
9 to read:

10 "Public housing project", "housing project", or "complex"
11 means a housing project directly controlled, owned, developed,
12 or managed by the authority pursuant to any federally assisted
13 housing as defined in title 24 Code of Federal Regulations
14 section 5.100, but does not include state low-income housing
15 projects as defined in section 356D-51. "Public housing
16 project" may include a mixed-income, mixed-use, or mixed-finance



1 redevelopment, executed through public-private partnerships, on
2 properties owned by the authority."

3 SECTION 2. Section 356D-11, Hawaii Revised Statutes, is
4 amended to read as follows:

5 **"§356D-11 Development of property.** (a) The authority, in
6 its own behalf or on behalf of any government, may:

7 (1) Clear, improve, and rehabilitate property; and

8 (2) Plan, develop, construct, and finance [public] housing
9 projects.

10 (b) The authority may develop public land in an
11 agricultural district subject to the prior approval of the land
12 use commission when developing lands greater than five acres in
13 size. The authority shall not develop state monuments,
14 historical sites, or parks. When the authority proposes to
15 develop public land, it shall file with the department of land
16 and natural resources a petition setting forth such purpose.
17 The petition shall be conclusive proof that the intended use is
18 a public use superior to that to which the land had been
19 appropriated.



1 (c) The authority may develop or assist in the development
2 of federal lands with the approval of appropriate federal
3 authorities.

4 (d) The authority shall not develop any public land where
5 the development may endanger the receipt of any federal grant,
6 impair the eligibility of any government agency for a federal
7 grant, prevent the participation of the federal government in
8 any government program, or impair any covenant between the
9 government and the holder of any bond issued by the government.

10 (e) The authority may contract or sponsor with any county,
11 housing authority, or person, subject to the availability of
12 funds, [~~an experimental or demonstration~~] a housing project
13 designed to meet the needs of elders, disabled, displaced or
14 homeless persons, low- and moderate-income persons, government
15 employees, teachers, or university and college students and
16 faculty.

17 (f) The authority may enter into contracts with eligible
18 developers to develop [~~public~~] housing projects in exchange for
19 mixed use development rights. Eligibility of a developer for an
20 exchange pursuant to this subsection shall be determined



1 pursuant to rules adopted by the authority in accordance with
2 chapter 91.

3 As used in this subsection, "mixed use development rights"
4 means the right to develop a portion of a [~~public~~] housing
5 project for commercial use.

6 (g) The authority may develop, with an eligible developer,
7 or may assist under a government assistance program in the
8 development of, [~~public~~] housing projects. The land planning
9 activities of the authority shall be coordinated with the county
10 planning departments and the county land use plans, policies,
11 and ordinances.

12 Any person, if qualified, may act simultaneously as
13 developer and contractor.

14 In selecting eligible developers or in contracting any
15 services or materials for the purposes of this subsection, the
16 authority shall be subject to all federal procurement laws and
17 regulations.

18 For purposes of this subsection, "government assistance
19 program" means a [~~public~~] housing program qualified by the
20 authority and administered or operated by the authority or the



1 United States or any of their political subdivisions, agencies,
2 or instrumentalities, corporate or otherwise.

3 (h) In connection with the development of any [~~public~~]
4 housing dwelling units under this chapter, the authority may
5 also develop non-subsidized housing, commercial properties, and
6 industrial properties and sell or lease other properties if it
7 determines that the uses will be an integral part of the
8 [~~public~~] housing development or a benefit to the community in
9 which the properties are situated. The authority may designate
10 any portions of the [~~public~~] housing development for non-
11 subsidized housing, commercial, industrial, or other use and
12 shall have all the powers granted under this chapter with
13 respect thereto. The authority may use any funding authorized
14 under this chapter to implement this subsection.

15 The net proceeds of all sales or leases, less costs to the
16 authority, and excluding amounts required to be set aside or
17 transferred pursuant to section 5(f) of the Admission Act
18 of 1959 or sections 1 and 6 of article XII of the Hawaii State
19 Constitution, shall be deposited in the public housing revolving
20 fund established by section 356D-28.



1 (i) With regard to real property set aside or leased to
2 the authority that was classed as government or crown lands
3 previous to August 15, 1895, or exchanged for such lands by the
4 authority for an aggregate period of more than sixty-five years,
5 the authority shall submit the following documentation to the
6 office of Hawaiian affairs at least three months prior to any
7 plan to redevelop or enter into a public-private partnership for
8 an affordable housing development under this section:

9 (1) The specific location and size of the parcel of land
10 to be redeveloped or financed; and

11 (2) A detailed project description of the proposed
12 affordable housing development, including the type of
13 project, whether rental or owned; number of stories;
14 number of units; amenities; all revenue sources,
15 including the amount of net floor area to be leased
16 for commercial or industrial uses; estimated rent or
17 sales price of the units; and a development timeline."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

20 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Hawaii Public Housing Authority; Non-subsidized Housing;
Affordable Housing; Office of Hawaiian Affairs

Description:

Allows HPHA to build non-subsidized housing. Excludes amounts required to be set aside or transferred pursuant to the Admission Act of 1959 or sections 1 and 6 of the State Constitution with respect to the net proceeds of sales or leases of HPHA-developed property, from being deposited into the public housing revolving fund. Requires HPHA to submit certain documentation to the office of Hawaiian affairs regarding government or crown lands set aside or leased to HPHA prior to any plan to redevelop or enter into a public-private partnership for affordable housing development. Effective 7/1/2050. (HD1)

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

