

JAN 22 2021

A BILL FOR AN ACT

RELATING TO SPECIAL IMPROVEMENT DISTRICT.

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

1 SECTION 1. The legislature finds that in 1999, it
2 authorized the counties to create special improvement districts
3 to provide and finance supplemental improvements in these
4 important districts for the purpose of restoring or promoting
5 business activity. The legislature also finds that since then,
6 the needs and demands in these districts have broadened to
7 include the management or mitigation of environmental and other
8 conditions that impact them. More specifically, the legislature
9 finds that Hawaii is being exposed to a variety of threats that
10 impact its environment and ecosystems, including coastal hazards
11 and effects of climate change, such as: the increase in the
12 frequency and severity of storms and drought; sea-level rise;
13 groundwater inundation; and coastal erosion. These threats are
14 of particular concern to the State due to its island topography
15 and substantial coastal exposure.

16 The purpose of this bill is to reinforce the counties'
17 authority to create special improvement districts and to bolster



1 their efforts in achieving the objective of these districts by
2 including the protection, preservation, and where desirable,
3 restoration and improvement of environmental quality, as the
4 purpose and rationale for special improvement districts.

5 SECTION 2. Section 46-80.5, Hawaii Revised Statutes, is
6 amended by amending subsection (a) to read as follows:

7 "**§46-80.5 Special improvement district.** (a) In addition
8 and supplemental to the authority vested in the counties by
9 sections 46-80 and 46-80.1, any county having a charter may
10 enact an ordinance, and may amend the same from time to time,
11 authorizing the creation of special improvement districts ~~[for~~
12 ~~the purpose of]~~. The purposes of creating the districts include
13 but are not limited to:

14 (1) Providing and financing supplemental maintenance and
15 security services;

16 (2) Environmental research, restoration, and maintenance;

17 (3) Natural resource management;

18 (4) Natural hazard mitigation; and [such other]

19 (5) Other improvements, services, and facilities within
20 the special improvement district as the council of the
21 county determines will improve environmental



1 conditions, provide community benefits, and restore or
2 promote business activity in the special improvement
3 district and the making and financing of improvements
4 therein.

5 Each separate special improvement district shall be established
6 by a separate ordinance enacted as provided in the ordinance
7 authorizing the creation of special improvement districts. The
8 ordinance authorizing the creation of special improvement
9 districts may permit the county to provide for a board or
10 association, established pursuant to chapter 414D, to provide
11 management of the special improvement district, and to carry out
12 activities as may be prescribed by the ordinance authorizing the
13 creation of special improvement districts and the ordinance
14 establishing the special improvement district as permitted
15 thereby."

16 SECTION 3. This Act does not affect rights and duties that
17 matured, penalties that were incurred, and proceedings that were
18 begun before its effective date.

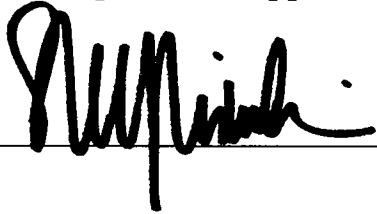
19 SECTION 4. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "M. J. Smith", is written over a horizontal line.



S.B. NO. 794

Report Title:

Environmental Protection; County Government; Special Improvement District

Description:

Expands the purpose and rationale for which counties may create special improvement districts to include environmental research, restoration, and maintenance; natural resource management; and natural hazard mitigation to improve environmental conditions and provide community benefits.

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