

JAN 22 2021

A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 SECTION 1. The legislature finds that lands utilized by
2 the department of Hawaiian home lands to provide housing for
3 native Hawaiians are offered at affordable rates when compared
4 to similar housing available in Hawaii. Since the enactment of
5 the Hawaiian Homes Commission Act, 1920, as amended, lands set
6 aside for use as Hawaiian home lands have been withdrawn for
7 other purposes, including public schools. Moreover, development
8 on Hawaiian home lands often account for the educational
9 facilities that may be needed to support the community with the
10 siting of public schools, public charter schools, early learning
11 facilities, and other similar facilities on or near Hawaiian
12 home lands. The purpose of this Act is to exempt any housing
13 development for the department of Hawaiian home lands from
14 school impact fee requirements.

15 SECTION 2. Section 302A-1603, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

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



- 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 agency for the contribution of school sites or payment
10 of fees for school land or school construction[-] and
11 (5) Any housing development for the department of Hawaiian
12 home lands."

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

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

16 INTRODUCED BY: 



S.B. NO. 880

Report Title:

School Impact Fees; Exemption

Description:

Exempts any housing development for the department of Hawaiian home lands from the school impact fee requirement.

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