JAN 2 1 2022

A BILL FOR AN ACT

RELATING TO FEES.

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

1	SECTION 1. Section 46-15.1, Hawaii Revised Statutes, is
2	amended by amending subsection (a) to read as follows:
3	"(a) Notwithstanding any law to the contrary, any county
4	shall have and may exercise the same powers, subject to
5	applicable limitations, as those granted the Hawaii housing
6	finance and development corporation pursuant to chapter 201H
7	insofar as those powers may be reasonably construed to be
8	exercisable by a county for the purpose of developing,
9	constructing, and providing low- and moderate-income housing;
10	provided that no county shall be empowered to cause the State to
11	issue general obligation bonds to finance a project pursuant to
12	this section; provided further that county projects shall be
13	granted an exemption from general excise or receipts taxes in
14	the same manner as projects of the Hawaii housing finance and
15	development corporation pursuant to section 201H-36; and
16	provided further that section 201H-16 shall not apply to this
17	section unless federal guidelines specifically provide local

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S.B. NO. 2264

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- 2 not conflict with any state laws. The powers shall include the
- 3 power, subject to applicable limitations, to:
- 4 (1) Develop and construct dwelling units, alone or in partnership with developers;
- 6 (2) Acquire necessary land by lease, purchase, exchange,
 7 or eminent domain;
- 9 person in developing and constructing new housing and
 10 rehabilitating existing housing for elders of low- and
 11 moderate-income, other persons of low- and moderate12 income, and persons displaced by any governmental
 13 action, by making long-term mortgage or interim
 14 construction loans available;
 - (4) Contract with any eligible bidders to provide for construction of urgently needed housing for persons of low- and moderate-income;
- 18 (5) Guarantee the top twenty-five per cent of the
 19 principal balance of real property mortgage loans,
 20 plus interest thereon, made to qualified borrowers by
 21 qualified lenders;

S.B. NO. 2264

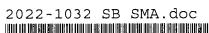
1	(6)	Enter into mortgage guarantee agreements with
2		appropriate officials of any agency or instrumentality
3		of the United States to induce those officials to
4		commit to insure or to insure mortgages under the
5		National Housing Act, as amended;
6	(7)	Make a direct loan to any qualified buyer for the
7		downpayment required by a private lender to be made by
8		the borrower as a condition of obtaining a loan from
9		the private lender in the purchase of residential
10		property;
11	(8)	Provide funds for a share, not to exceed fifty per
12		cent, of the principal amount of a loan made to a
13		qualified borrower by a private lender who is unable
14		otherwise to lend the borrower sufficient funds at
15		reasonable rates in the purchase of residential
16		property; and
17	(9)	Sell or lease completed dwelling units[-];
18	provided	that, beginning January 1, 2023, no county shall impose
19	impact fe	es, including those fees established under part VII of
20	chapter 4	6, and inclusionary and in lieu fees, on a housing

1	development's	affordable	units	that	would	meet	the	rec	{uireme	≥nts

- 2 of "affordable housing" as defined in section 46-15.25.
- 3 For purposes of this section, a limitation is applicable to
- 4 the extent that it may reasonably be construed to apply to a
- 5 county."
- 6 SECTION 2. Statutory material to be repealed is bracketed
- 7 and stricken. New statutory material is underscored.
- 8 SECTION 3. This Act shall take effect upon its approval;
- 9 provided that the amendments made to section 46-15.1, Hawaii
- 10 Revised Statutes, by section 1 of this Act shall not be repealed
- 11 when that section is repealed and reenacted on July 1, 2024,
- 12 pursuant to sections 1 and 2 of Act 80, Session Laws of Hawaii
- 13 2018.

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INTRODUCED BY:



S.B. NO. 2264

Report Title:

Impact Fees; Inclusionary Fees; In-Lieu Fees; Counties;
Affordable Housing

Description:

Prohibits county and state agencies from imposing impact and other fees for the development of affordable housing units.

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