

JAN 20 2023

A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

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

1 SECTION 1. Section 302A-1603, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

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

4 (1) Any form of housing permanently excluding school-aged
5 children, with the necessary covenants or declarations
6 of restrictions recorded on the property;

7 (2) Any form of housing that is or will be paying the
8 transient accommodations tax under chapter 237D;

9 (3) All nonresidential development;

10 (4) Any development with an executed education
11 contribution agreement or other like document with the
12 authority or the department for the contribution of
13 school sites or payment of fees for school land or
14 school construction; ~~and~~

15 (5) Any form of housing developed by the department of
16 Hawaiian home lands for use by beneficiaries of the
17 Hawaiian Homes Commission Act, 1920, as amended[-];



- 1 (6) Any form of housing that provides eighty per cent of
- 2 units as affordable for fifteen years to qualified
- 3 individuals earning up to one hundred per cent area
- 4 median income with rents at or below rental limits set
- 5 by the Department of Housing and Urban Development;
- 6 (7) Any development constructed under the affordable
- 7 rental housing development program or for-sale
- 8 developments administered by the Hawaii housing and
- 9 finance development corporation pursuant to chapter
- 10 201H;
- 11 (8) Any development or project that is exempt from general
- 12 excise taxes pursuant to section 201H-36;
- 13 (9) Any development receiving federal, state, or county
- 14 funds such as from the rental housing revolving fund
- 15 or low-income housing tax credits;
- 16 (10) Any development constructed on federal, state, or
- 17 county-owned land;
- 18 (11) Any form of housing that is available only for Hawaii
- 19 residents who are owner-occupants and who own no other
- 20 real property; and



1 (12) Any development that utilizes Department of Housing
2 and Urban Development funding."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval;
6 provided that the amendments made to section 302A-1603, Hawaii
7 Revised Statutes, by section 2 of this Act shall not be repealed
8 when that section is reenacted on July 1, 2024, pursuant to
9 section 6 of Act 197, Session Laws of Hawaii 2021.

10

INTRODUCED BY: 



S.B. NO. 874

Report Title:

School Impact Fees; Exemption; Housing

Description:

Exempts certain housing developments from assessments of school impact fees.

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

