H.B. NO. <sup>329</sup> H.D. 2 S.D. 2 C.D. 1

# A BILL FOR AN ACT

RELATING TO THE SCHOOL FACILITIES AUTHORITY.

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

1	SECTION 1.	The legislature finds that the school
2	facilities auth	ority is entrusted with responsibilities relating
3	to the developm	ent, planning, and construction of public school
4	projects. The	legislature further finds that the school
5	facilities auth	ority could carry out these responsibilities with
6	greater efficies	ncy if certain changes were made to statutes
7	governing the a	uthority.
8	Accordingl	y, the purpose of this Act is to:
9	(1) Clari	fy that the school facilities authority is
10	respo	nsible for projects related to:
11	(A) (	Certain facilities for prekindergarten,
12	]	preschool, child care, and early learning
13	1	programs;
14	(B) (	Workforce housing; and
15	(C) 2	Any public school development, planning, and
16	(	construction assigned by the legislature,
- 17	Q	governor, or board of education;

2025-3477 HB329 CD1 HMSO 

Page 2



1	(2)	Allow the school facilities authority to use the
2		department of education for certain recruitment and
3		hiring responsibilities;
4	(3)	Allow the school facilities authority to partner with
5		public and private development agencies to develop
6		prekindergarten, preschool, child care, and early
7		learning program facilities; and
8	(4)	Appropriates funds for:
9		(A) A new middle school in central Maui; and
10		(B) A workforce housing project in Mililani.
11	SECT	ION 2. Section 302A-1703, Hawaii Revised Statutes, is
12	amended a	s follows:
13	1. 1	By amending subsection (a) to read:
14	"(a)	Except as otherwise limited by this chapter, the
15	authority	shall be responsible for all [ <del>public school</del>
16	developme:	nt, planning, and construction] projects related to
17	[ <del>capital :</del>	improvement projects]:
18	(1)	New or renovated facilities for prekindergarten,
19		preschool, child care, or early learning programs;

# 2025-3477 HB329 CD1 HMS0

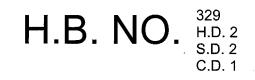
Page 3



1	(2)	Workforce housing for educators and other education
2		workers in schools serving prekindergarten,
3		elementary, and secondary grades; and
4	(3)	Any public school development, planning, and
5		construction assigned by the legislature, governor, or
6		board of education."
7	2. 1	By amending subsection (c) to read:
8	"(C)	Except as otherwise limited by this chapter, the
9	authority	may also:
10	(1)	Have a seal and alter the same at its pleasure;
11	(2)	Subject to subsection (b), make and execute contracts
12		and all other instruments necessary or convenient for
13		the exercise of its powers and functions under this
14		subpart;
15	(3)	Make and alter bylaws for its organization and
16		internal management;
17	(4)	Adopt rules pursuant to chapter 91 with respect to its
18		projects, operations, properties, and facilities,
19		including qualifications for persons and entities
20		wishing to enter into a public-private partnership
21		with the authority, as permitted in paragraph (7);

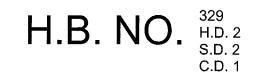
2025-3477 HB329 CD1 HMSO

Page 4



1	(5)	Acquire or contract to acquire by grant or purchase
2		real, personal, or mixed property or any interest
3		therein; to clear, improve, and rehabilitate and to
4		sell, assign, exchange, transfer, convey, lease,
5		subdivide, or otherwise dispose of or encumber the
6		same;
7	(6)	Acquire property by condemnation pursuant to
8		chapter 101;
9	(7)	Enter into partnerships with qualified persons,
10		including public-private partnerships, as defined in
11		the authority's rules, to acquire, construct,
12		reconstruct, rehabilitate, improve, alter, or provide
13		for the construction, reconstruction, improvement, or
14		alteration of any project, including prekindergarten
15		facilities; and sell, assign, transfer, convey,
16		exchange, lease, or otherwise dispose of or encumber
17		any project; and in the case of the sale of any
18		project, accept a purchase money mortgage in
19		connection therewith;
20	(8)	Grant options to purchase any project or to renew any
21		lease entered into by it in connection with any of its

2025-3477 HB329 CD1 HMS0



1		projects, on terms and conditions as it deems
2		advisable;
3	(9)	Prepare or cause to be prepared plans, specifications,
4		designs, and estimates of costs for the construction,
5		reconstruction, rehabilitation, improvement, or
6		alteration of any project, and from time to time to
7		modify the plans, specifications, designs, or
8		estimates;
9	(10)	Procure insurance against any loss in connection with
10		its property and other assets and operations in
11		amounts and from insurers as it deems desirable;
12	(11)	Apply for and accept gifts or grants in any form from
13		any public agency or from any other source, including
14		gifts or grants from private individuals and private
15		entities;
16	(12)	Borrow money or procure loan guarantees from the
17		federal government for or in aid of any project the
18		authority is authorized to undertake pursuant to this
19		chapter. Additionally, in connection with borrowing
20		or procurement of loan guarantees, the authority:

2025-3477 HB329 CD1 HMSO



1		(A)	Shall comply with conditions required by the
2			federal government pursuant to applicable
3			regulation or required in any contract for
4			federal assistance;
5		(B)	Shall repay indebtedness incurred pursuant to
6			this section, including any interest thereon;
7		(C)	May execute loan and security agreements and
8			related contracts with the federal government;
9		(D)	May issue bonds pledging revenues, assessments,
10			or other taxes as security for indebtedness
11			incurred pursuant to this section; and
12		(E)	May enter into financing agreements as that term
13			is defined in section 37D-1;
14	(13)	Арро	oint or retain by contract one or more attorneys
15		who	are independent of the attorney general to provide
16		lega	l services solely in cases of negotiations in
17		whic	h the attorney general lacks the sufficient
18		expe	rtise; provided that the independent attorney
19		shal	l consult and work in conjunction with the
20		desi	gnated deputy attorney general;

2025-3477 HB329 CD1 HMSO



1	(14)	Use the department of human resources development <u>or</u>
2		the department of education to recruit, hire, and
3		retain exempt employees, architects, engineers,
4		existing civil service positions, and other technical
5		positions for the development, planning, and
6		construction related to capital improvement projects;
7	(15)	Partner with public and private development agencies
8		to develop:
9		(A) Housing on or off campus; [ <del>and</del> ]
10		(B) Classrooms; <u>and</u>
11		(C) Prekindergarten, preschool, child care, and early
12		learning program facilities;
13	(16)	Request any state or county agency to render services
14		to the authority;
15	(17)	Transfer the property to another public agency or
16		contract to manage the leasing and property management
17		of housing projects; and
18	(18)	Do any and all things necessary to carry out its
19		purposes and exercise the powers given and granted in
20		this subpart."

2025-3477 HB329 CD1 HMS0



1 SECTION 3. There is appropriated out of the general 2 revenues of the State of Hawaii the sum of \$2,000,000 or so much 3 thereof as may be necessary for fiscal year 2025-2026 for the 4 planning and construction of a new middle school in central 5 Maui. 6 The sum appropriated shall be expended by the school 7 facilities authority for the purposes of this Act. 8 SECTION 4. There is appropriated out of the general 9 revenues of the State of Hawaii the sum of \$2,000,000 or so much 10 thereof as may be necessary for fiscal year 2025-2026 for the 11 planning and construction of a workforce housing project in 12 Mililani. 13 The sum appropriated shall be expended by the school 14 facilities authority for the purposes of this Act. 15 SECTION 5. Statutory material to be repealed is bracketed 16 and stricken. New statutory material is underscored.

17 SECTION 6. This Act shall take effect on July 1, 2025.



## H.B. NO. <sup>329</sup> H.D. 2 S.D. 2 C.D. 1

#### Report Title:

School Facilities Authority; School Facilities Authority Board; Public Schools; Early Learning Facilities; Workforce Housing; Recruitment; Appropriation

#### Description:

Clarifies that the School Facilities Authority is responsible for projects for facilities for prekindergarten, preschool, child care, and early learning programs; workforce housing; and any public school development, planning, and construction assigned by the Legislature, Governor, or Board of Education. Allows the School Facilities Authority to use the Department of Education for certain recruitment and hiring responsibilities. Allows the School Facilities Authority to partner with public and private development agencies to develop prekindergarten, preschool, child care, and early learning program facilities. Appropriates funds. (CD1)

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

