
A BILL FOR AN ACT

RELATING TO GOVERNMENT.

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

1 PART I

2 SECTION 1. (a) Notwithstanding any other law to the
3 contrary, the fee simple interest in the following parcels of
4 land with the existing improvements thereon (hereinafter "the
5 properties") (but not including submerged land, accreted land,
6 or any land makai of the shoreline), shall be conveyed by the
7 department of land and natural resources, department of
8 accounting and general services, Hawaii housing finance and
9 development corporation, or other respective state agency, as
10 grantor, to the city and county of Honolulu as grantee, as is,
11 where is, and subject to any existing recorded ground leases,
12 easements, and encumbrances:

- 13 (1) TMK 1-1-5-7-2 (senior residence at Iwilei);
14 (2) TMK 1-1-5-7-1 (Liliha civic center);
15 (3) TMK 1-1-7-27-1 (Aala park);
16 (4) TMK 1-1-5-9-1 (Institute for Human Services);
17 (5) TMK 1-1-5-9-2 (morgue addition);



1 (6) TMK 1-1-5-9-3 (morgue); and

2 (7) TMK 1-1-5-9-10 (Iwilei fire station).

3 (b) The respective state agency serving as grantor for
4 each parcel in subsection (a) shall prepare, execute, and
5 record, in the land court or bureau of conveyances, as
6 appropriate, a quitclaim deed to convey each parcel with all
7 existing improvements, to the city and county of Honolulu as
8 grantee. As these are conveyances in which the city and county
9 of Honolulu and the State and its agencies are the only parties,
10 the tax imposed by section 247-1, Hawaii Revised Statutes, shall
11 not apply. Effective on the date of transfer pursuant to
12 subsection (d), every reference to the present titleholder or
13 the head of the department or agency in each instrument, if the
14 titleholder is a department or an agency, shall be construed as
15 a reference to the city and county of Honolulu.

16 (c) The city and county of Honolulu shall accept the
17 properties in their existing condition. All claims and
18 liabilities against the respective state agency serving as
19 grantor for each parcel in subsection (a), if any, which the
20 city and county of Honolulu has, may have had, or may have in
21 the future, regarding any injury, loss, cost, damage, or



1 liability, including reasonable attorneys' fees, concerning the
2 physical, environmental, soil, economic, and legal conditions of
3 the conveyed properties, are released, waived, and extinguished.

4 (d) Transfer of the parcels shall be effective
5 December 31, 2025, or upon final approval by the city and county
6 of Honolulu of the terms of the transfer of the Alii tower
7 parcel to the department of land and natural resources pursuant
8 to part II of this Act, whichever occurs later.

9 PART II

10 SECTION 2. (a) Notwithstanding any other law to the
11 contrary, the fee simple interest in the parcel of land
12 identified as TMK 1-2-1-17-8 (Alii tower) with the existing
13 improvements thereon (hereinafter "the property") (but not
14 including submerged land, accreted land, or any land makai of
15 the shoreline), shall be conveyed by the city and county of
16 Honolulu as grantor, to the department of land and natural
17 resources as grantee, as is, where is, and subject to any
18 existing recorded ground leases, easements, and encumbrances.

19 (b) The city and county of Honolulu shall prepare,
20 execute, and record, in the land court or bureau of conveyances,
21 as appropriate, a quitclaim deed to convey the parcel in



1 subsection (a) with all existing improvements, to the department
2 of land and natural resources as grantee, and a lease for the
3 department of the prosecuting attorney of the city and county of
4 Honolulu on terms acceptable to the grantee. As this is a
5 conveyance in which the city and county of Honolulu and the
6 State and its agencies are the only parties, the tax imposed by
7 section 247-1, Hawaii Revised Statutes, shall not apply.

8 Effective on the date of transfer pursuant to subsection (d),
9 every reference to the present titleholder or the head of the
10 department or agency in each instrument, if the titleholder is a
11 department or an agency, shall be construed as a reference to
12 the department of land and natural resources.

13 (c) The department of land and natural resources shall
14 accept the property in its existing condition. All claims and
15 liabilities against the city and county of Honolulu, if any,
16 which the department of land and natural resources has, may have
17 had, or may have in the future, regarding any injury, loss,
18 cost, damage, or liability, including reasonable attorneys'
19 fees, concerning the physical, environmental, soil, economic,
20 and legal conditions of the conveyed property, are released,
21 waived, and extinguished.



(d) Transfer of the parcel shall be effective December 31, 2025, or upon final approval by the city and county of Honolulu of the terms of the transfer, whichever occurs later.

PART III

SECTION 3. Section 171-2, Hawaii Revised Statutes, is amended to read as follows:

"§171-2 Definition of public lands. "Public lands" means all lands or interest therein in the State classed as government or crown lands previous to August 15, 1895, or acquired or reserved by the government upon or subsequent to that date by purchase, exchange, escheat, or the exercise of the right of eminent domain, or in any other manner; including lands accreted after May 20, 2003, and not otherwise awarded, submerged lands, and lands beneath tidal waters that are suitable for reclamation, together with reclaimed lands that have been given the status of public lands under this chapter, except:

- (1) Lands designated in section 203 of the Hawaiian Homes Commission Act, 1920, as amended;
- (2) Lands set aside pursuant to law for the use of the United States;
- (3) Lands being used for roads and streets;



1 (4) Lands to which the United States relinquished the
2 absolute fee and ownership under section 91 of the
3 Hawaiian Organic Act before the admission of Hawaii as
4 a state of the United States unless subsequently
5 placed under the control of the board of land and
6 natural resources and given the status of public lands
7 in accordance with the state constitution, the
8 Hawaiian Homes Commission Act, 1920, as amended, or
9 other laws;

10 (5) Lands to which the University of Hawaii holds title;

11 (6) Non-ceded lands set aside by the governor to the
12 Hawaii housing finance and development corporation or
13 lands to which the Hawaii housing finance and
14 development corporation in its corporate capacity
15 holds title;

16 (7) Lands to which the Hawaii community development
17 authority in its corporate capacity holds title;

18 (8) Lands set aside by the governor to the Hawaii public
19 housing authority or lands to which the Hawaii public
20 housing authority in its corporate capacity holds
21 title;



- 1 (9) Lands to which the department of agriculture holds
2 title by way of foreclosure, voluntary surrender, or
3 otherwise, to recover moneys loaned or to recover
4 debts otherwise owed the department under chapter 167;
- 5 (10) Lands that are set aside by the governor to the Aloha
6 Tower development corporation, lands leased to the
7 Aloha Tower development corporation by any department
8 or agency of the State, or lands to which the Aloha
9 Tower development corporation holds title in its
10 corporate capacity;
- 11 (11) Lands that are set aside by the governor to the
12 agribusiness development corporation, lands leased to
13 the agribusiness development corporation by any
14 department or agency of the State, or lands to which
15 the agribusiness development corporation in its
16 corporate capacity holds title;
- 17 (12) Lands to which the Hawaii technology development
18 corporation in its corporate capacity holds title;
- 19 (13) Lands to which the department of education holds
20 title;
- 21 (14) Lands to which the stadium authority holds title;



1 (15) Lands to which the school facilities authority holds
2 title; ~~and~~

3 (16) Lands that are set aside by the governor to the
4 department of transportation, lands leased to the
5 department of transportation by any department or
6 agency of the State, or lands to which the department
7 of transportation holds title; and

8 (17) Lands transferred to the department of land and
9 natural resources pursuant to Act _____, Session Laws
10 of Hawaii 2025;

11 provided that, except as otherwise limited under federal law and
12 except for state land used as an airport as defined in
13 section 262-1, public lands shall include the air rights over
14 any portion of state land upon which a county mass transit
15 project is developed after July 11, 2005; provided further that
16 if the lands pursuant to paragraph (6) are no longer needed for
17 housing finance and development purposes, the lands shall be
18 returned to the agency from which they were obtained; provided
19 further that if the lands pursuant to paragraph (14) are no
20 longer needed for the stadium development district or related



1 purposes, the lands shall be returned to the public land trust
2 administered by the department."

3 SECTION 4. Real property transferred to the department of
4 land and natural resources under this Act shall not be
5 considered part of the public land trust as described in
6 section 171-18, Hawaii Revised Statutes.

7 PART IV

8 SECTION 5. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect on July 1, 2025, or
11 the day after final approval by the city and county of Honolulu
12 of the terms of the transfer of the fee simple interest in land
13 pursuant to part II of this Act, whichever occurs later;
14 provided that upon the completed transfer of the fee simple
15 interest in land pursuant to part II of this Act, the governor
16 shall notify the legislature and the revisor of statutes that
17 the transfer was filed or recorded with the bureau of
18 conveyances; provided further that if the city and county of
19 Honolulu does not finalize approval of the terms of the transfer
20 required under part II of this Act by December 31, 2026, this
21 Act shall be repealed on January 1, 2027, and section 171-2,



- 1 Hawaii Revised Statutes, shall be reenacted in the form in which
- 2 it read on the day before the effective date of this Act.



Report Title:

Real Property; Public Lands; Transfer; City and County of Honolulu; DLNR; DAGS; HHFDC; Appropriations

Description:

Provides for the transfer of certain parcels in the Liliha Civic Center area and Iwilei Fire Station area from various state agencies to the City and County of Honolulu. Provides for the transfer of the parcel of land upon which Alii Tower is sited from the City and County of Honolulu to the Department of Land and Natural Resources. Exempts the lands transferred to the Department of Land and Natural Resources from the definition of public lands for purposes of Chapter 171, HRS. (CD1)

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

