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# A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1       SECTION 1. Section 6E-2, Hawaii Revised Statutes, is  
2 amended by amending the definition of "historic property" to  
3 read as follows:

4       ""Historic property" means any building, structure, object,  
5 district, area, or site, including heiau and underwater site[~~-~~  
6 ~~which is~~] that is over fifty years old[~~-~~] and meets the criteria  
7 for being entered into the Hawaii register of historic places."

8       SECTION 2. Section 6E-42.2, Hawaii Revised Statutes, is  
9 amended to read as follows:

10       "[~~{~~]**\$6E-42.2**[~~}~~] **Excluded activities for privately-owned**  
11 **single-family detached dwelling units and townhouses[~~-~~],**  
12 **residential projects, and nominally sensitive areas.** (a) An  
13 application for a proposed project on an existing privately-  
14 owned single-family detached dwelling unit or townhouse shall be  
15 subject to the requirements of section 6E-42 only if the single-  
16 family detached dwelling unit or townhouse is over fifty years  
17 old and:



1 (1) Is listed on the Hawaii or national register of  
2 historic places, or both;

3 (2) Is nominated for inclusion on the Hawaii or national  
4 register of historic places, or both; or

5 (3) Is located in a historic district.

6 (b) An application for a proposed project on an existing  
7 residential property shall be subject to the requirements of  
8 section 6E-42 only if the existing residential property is over  
9 fifty years old and is registered on the Hawaii register of  
10 historic places.

11 (c) An application for a proposed project in a nominally  
12 sensitive area shall not be subject to the requirements of  
13 section 6E-42.

14 ~~[(b)]~~ (d) For the purposes of this section:

15 "Dwelling unit" means a building or portion thereof  
16 designed or used exclusively for residential occupancy and  
17 having all necessary facilities for permanent residency such as  
18 living, sleeping, cooking, eating, and sanitation.

19 "Nominally sensitive area" means a project area that is  
20 known to include a low density of historic, cultural, or  
21 archaeological resources, or where the project area has been



1 substantially disturbed by previous excavation or other ground-  
2 disturbing work and no significant historic properties have been  
3 previously identified.

4 "Single-family detached dwelling unit" means an individual,  
5 freestanding, unattached dwelling unit, typically built on a lot  
6 larger than the structure itself, resulting in an area  
7 surrounding the dwelling.

8 "Townhouse" has the same meaning as ~~[defined]~~ in section  
9 502C-1."

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 3000.



**Report Title:**

Historic Preservation; Historic Property

**Description:**

Amends the definition of "historic property" to require that the property is over 50 years old and meets the criteria for inclusion in the Hawaii Register of Historic Places. Excludes proposed projects on existing residential property and proposed projects that are in nominally sensitive areas from the State's Historic Preservation Program review, under certain circumstances. Effective 7/1/3000. (HD1)

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

