

Honolulu, Hawaii

FEB 28 2025

RE: S.B. No. 1170
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.
No. 1170, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE EXPEDITIOUS REDEVELOPMENT
AND DEVELOPMENT OF AFFORDABLE RENTAL HOUSING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Exempt certain affordable rental housing projects from the requirements for special management area use permits;
- (2) Clarify eligibility requirements for affordable housing projects to receive an exemption; and
- (3) Require administrative review of projects under the National Register or Hawaii Register for compliance.

Your Committee received testimony in support of this measure from the Hawaii Housing Finance and Development Corporation, KCOM Corp., Pacific Commercial Realty Corp., Hale Mahaolu, Maui Chamber of Commerce, and one individual.

Your Committee received comments on this measure from the Office of Planning and Sustainable Development.



Your Committee finds that an approving agency may require one year to issue a special management area use permit which leads to delays in the development or redevelopment of affordable housing in the State. Your Committee further finds that authorizing the Director of Planning of each county to issue a special management area use permit for housing under certain conditions will alleviate the State's shortage of affordable housing. Accordingly, this measure exempts certain affordable rental housing projects from the requirements for a special management area use permit to expedite development.

Your Committee has amended this measure by:

- (1) Clarifying that special management area use permits issued pursuant to this measure shall be subject to special management area guidelines;
- (2) Limiting the applicability of special management area use permits issued pursuant to this measure to redevelopment resulting from a disaster from wildfire, hurricane, flooding, tsunami, or earthquake proclaimed by the Governor to constitute a state of emergency;
- (3) Deleting language that would have exempted special management area use permits issued pursuant to this measure from all statutes, charter provisions, ordinances, and rules related to special management area use permits und chapter 205A, Hawaii Revised Statutes; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1170, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1170, S.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,




KARL RHOADS, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 1170, SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HOU/WTL, JDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/27/25</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton	✓			
TOTAL	5	—	—	—
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-top: 10px;">  </div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.8em; margin-top: 5px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

*Only one measure per Record of Votes