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# 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.

6 PART II

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

16 (b) The city and county of Honolulu shall prepare,  
17 execute, and record, in the land court or bureau of conveyances,  
18 as appropriate, a quitclaim deed to convey the parcel in  
19 subsection (a) with all existing improvements, to the department  
20 of land and natural resources as grantee, and a lease for the  
21 department of the prosecuting attorney of the city and county of



1 Honolulu on terms acceptable to the grantee. As this is a  
2 conveyance in which the city and county of Honolulu and the  
3 State and its agencies are the only parties, the tax imposed by  
4 section 247-1, Hawaii Revised Statutes, shall not apply.  
5 Effective on the date of transfer pursuant to subsection (d),  
6 every reference to the present titleholder or the head of the  
7 department or agency in each instrument, if the titleholder is a  
8 department or an agency, shall be construed as a reference to  
9 the department of land and natural resources.

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

19 (d) Transfer of the parcel shall be effective December 31,  
20 2025.



## 1 PART III

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

4 "**§171-2 Definition of public lands.** "Public lands" means  
5 all lands or interest therein in the State classed as government  
6 or crown lands previous to August 15, 1895, or acquired or  
7 reserved by the government upon or subsequent to that date by  
8 purchase, exchange, escheat, or the exercise of the right of  
9 eminent domain, or in any other manner; including lands accreted  
10 after May 20, 2003, and not otherwise awarded, submerged lands,  
11 and lands beneath tidal waters that are suitable for  
12 reclamation, together with reclaimed lands that have been given  
13 the status of public lands under this chapter, except:

- 14 (1) Lands designated in section 203 of the Hawaiian Homes  
15 Commission Act, 1920, as amended;
- 16 (2) Lands set aside pursuant to law for the use of the  
17 United States;
- 18 (3) Lands being used for roads and streets;
- 19 (4) Lands to which the United States relinquished the  
20 absolute fee and ownership under section 91 of the  
21 Hawaiian Organic Act before the admission of Hawaii as



1 a state of the United States unless subsequently  
 2 placed under the control of the board of land and  
 3 natural resources and given the status of public lands  
 4 in accordance with the state constitution, the  
 5 Hawaiian Homes Commission Act, 1920, as amended, or  
 6 other laws;

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

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

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

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

19 (9) Lands to which the department of agriculture holds  
 20 title by way of foreclosure, voluntary surrender, or



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



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

6 (17) Lands transferred to the department of land and  
7 natural resources pursuant to Act \_\_\_\_\_, Session Laws  
8 of Hawaii 2025;

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



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

5 PART IV

6 SECTION 5. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8 SECTION 6. This Act shall take effect on July 1, 2040.



**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 on which Alii Place 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. Effective 7/1/2040. (SD2)

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

