

1 (3) Fees for the management and collection of assessments.

2 "Planned community" has the same meaning as in
3 section 421J-2.

4 **§ -2 Road repair and maintenance.** (a) A lot owner in a
5 subdivision that is not a planned community shall pay
6 assessments, as provided by this chapter, necessary for the
7 repair and maintenance of the subdivision roads. The
8 assessments shall be determined by an association, corporation,
9 or court-appointed entity. The association, corporation, or
10 court-appointed entity shall assess and collect fees for the
11 repair and maintenance of the subdivision roads.

12 (b) If no court-appointed or deed-designated entity is
13 authorized to assess and collect fees for the repair and
14 maintenance of the subdivision roads pursuant to subsection (a),
15 the county where the subdivision is located shall assess and
16 collect fees from the lot owners and expend those funds to
17 repair and maintain the subdivision roads.

18 (c) Each county responsible for the assessment and
19 collection of fees for the repair and maintenance of subdivision
20 roads may designate each applicable subdivision as a special



1 improvement district pursuant to section 46-80.5 or a community
2 facilities district pursuant to section 46-80.1.

3 (d) The authority provided to the counties under
4 sections 46-80.1 and 46-80.5 shall apply to this chapter.

5 **§ -3 County duties regarding housing subdivisions; road**
6 **maintenance and repair.** (a) Each county shall provide:

7 (1) Training to volunteer association boards on their
8 responsibilities, including training on the conduct of
9 effective meetings pursuant to established rules of
10 order;

11 (2) Auditing services on the assessments and use of funds
12 for the repair and maintenance of subdivision roads;
13 and

14 (3) Arbitration and mediation services to resolve disputes
15 between a lot owner and the entity responsible for the
16 assessment and collection of fees for the repair and
17 maintenance of subdivision roads.

18 (b) A county may assess a reasonable fee to an individual
19 or entity who is provided a service or other assistance pursuant
20 to subsection (a)."



1 SECTION 2. Act 200, Session Laws of Hawaii 2022,
2 section 2, is amended as follows:

3 1. By amending subsection (d) to read:

4 "(d) The working group shall submit a report of its
5 findings and recommendations, including any proposed
6 legislation, to the legislature no later than twenty days prior
7 to the convening of the regular session of [~~2024-~~] 2026."

8 2. By amending subsection (f) to read:

9 "(f) The working group shall be dissolved on June 30,
10 [~~2024-~~] 2026."

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$100,000 or so much
13 thereof as may be necessary for fiscal year 2025-2026 for the
14 purposes of the working group established by Act 200, Session
15 Laws of Hawaii 2022; provided that:

16 (1) All moneys unexpended and unencumbered for the
17 purposes of the working group as of June 30, 2026, may
18 be expended by the counties for the purposes of
19 section 1 of this Act; and

20 (2) The moneys appropriated pursuant to this section shall
21 not lapse at the end of the fiscal year for which the



1 appropriation is made; provided that all moneys from
2 the appropriation unencumbered as of June 30, 2027,
3 shall lapse as of that date.

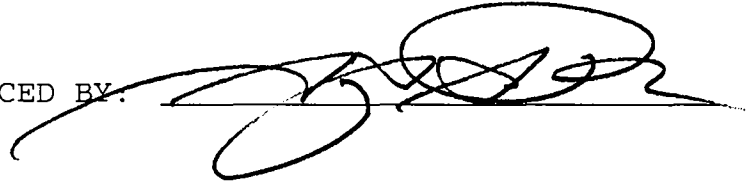
4 The sum appropriated shall be expended by the county or
5 counties specified in section 2(a) of Act 200, Session Laws of
6 Hawaii 2022, for the purposes of this section.

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 5. This Act shall take effect upon its approval;
10 provided that section 3 shall take effect on July 1, 2025.

11

INTRODUCED BY:

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S.B. NO. 316

Report Title:

Counties; Housing Subdivisions; Infrastructure; Roads; Repair and Maintenance; Working Group; Act 200, SLH 2022; Assessments; Appropriation

Description:

Requires lot owners in subdivisions that are not planned communities to pay for the repair and maintenance of subdivision roads. Authorizes counties to assess and collect fees for repair and maintenance of subdivision roads if no court-appointed or deed-designated entity is authorized to do so. Requires counties to provide certain services to associations. Restricts provisions to counties having a population greater than 200,000 but less than 500,000. Extends the reporting date and sunset date for the working group established pursuant to Act 200, SLH 2022. Appropriates moneys.

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

