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# A BILL FOR AN ACT

RELATING TO HOUSING.

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

1           SECTION 1. Section 201H-38, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) The corporation may develop on behalf of the State or  
4 with an eligible developer, or may assist under a government  
5 assistance program in the development of, housing projects that  
6 shall be exempt from all statutes, charter provisions,  
7 ordinances, and rules of any government agency relating to  
8 planning, zoning, construction standards for subdivisions,  
9 development and improvement of land, and the construction of  
10 dwelling units thereon; provided that either:

11           (1) The housing projects meet the following conditions:

12                   (A) The corporation finds the housing project is  
13                   consistent with the purpose and intent of this  
14                   chapter, and meets minimum requirements of health  
15                   and safety;

16                   (B) The development of the proposed housing project  
17                   does not contravene any safety standards,



1 tariffs, or rates and fees approved by the public  
2 utilities commission for public utilities or of  
3 the various boards of water supply authorized  
4 under chapter 54;

5 (C) The legislative body of the county in which the  
6 housing project is to be situated has approved  
7 the project with or without modifications:

8 (i) The legislative body shall approve, approve  
9 with modification, or disapprove the project  
10 by resolution within [~~forty-five~~] thirty  
11 days after the corporation has submitted the  
12 preliminary plans and specifications for the  
13 project to the legislative body. If on the  
14 [~~forty-sixth~~] thirty-first day a project is  
15 not disapproved, it shall be deemed approved  
16 by the legislative body;

17 (ii) No action shall be prosecuted or maintained  
18 against any county, its officials, or  
19 employees on account of actions taken by  
20 them in reviewing, approving, modifying, or



1 disapproving the plans and specifications;  
2 and  
3 (iii) The final plans and specifications for the  
4 project shall be deemed approved by the  
5 legislative body if the final plans and  
6 specifications do not substantially deviate  
7 from the preliminary plans and  
8 specifications. The final plans and  
9 specifications for the project shall  
10 constitute the zoning, building,  
11 construction, and subdivision standards for  
12 that project. For purposes of sections 501-  
13 85 and 502-17, the executive director of the  
14 corporation or the responsible county  
15 official may certify maps and plans of lands  
16 connected with the project as having  
17 complied with applicable laws and ordinances  
18 relating to consolidation and subdivision of  
19 lands, and the maps and plans shall be  
20 accepted for registration or recordation by  
21 the land court and registrar; and



1 (D) The land use commission has approved, approved  
 2 with modification, or disapproved a boundary  
 3 change within forty-five days after the  
 4 corporation has submitted a petition to the  
 5 commission as provided in section 205-4. If, on  
 6 the forty-sixth day, the petition is not  
 7 disapproved, it shall be deemed approved by the  
 8 commission; or

9 (2) The housing projects:


10 (A) Meet the conditions of paragraph (1);

11 (B) Do not impose stricter income requirements than  
 12 those adopted or established by the State; and

13 (C) For the lifetime of the project, require one  
 14 hundred per cent of the units in the project be  
 15 exclusively for qualified residents."

16 SECTION 2. Statutory material to be repealed is bracketed  
 17 and stricken. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon its approval.

19 INTRODUCED BY: 

# S.B. NO. 93

**Report Title:**

Housing Development; Exemptions; Counties

**Description:**

Decreases the time period for the legislative body of a county to approve, approve with modification, or disapprove housing developments exempt from certain requirements pursuant to section 201H-38, HRS, from forty-five days to thirty days.

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

