

ACT 208

H.B. NO. 1672

A Bill for an Act Relating to Special Improvement Districts.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that Act 107, Session Laws of Hawaii 1999 (Act 107), authorized the counties to create special improvement districts to provide supplemental financial support to these districts for the purpose of restoring or promoting business activity. The legislature further finds that since the enactment of Act 107, the needs and demands in these districts have broadened to include the management or mitigation of environmental and other conditions that impact natural resources. More specifically, the legislature finds that Hawaii is being exposed to a variety of threats that affect its environment and ecosystems, including coastal hazards and the results of climate change, such as the increase in the frequency and severity of storms and drought, sea level rise, groundwater inundation, and coastal erosion. These threats are of particular concern to the State due to its island topography and substantial coastal exposure.

The purpose of this Act is to broaden the counties' authority to create special improvement districts by expanding the objective of these districts to include to include¹ environmental protection and preservation, natural resource management, and natural hazard mitigation.

SECTION 2. Section 46-80.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) In addition and supplemental to the authority vested in the counties by sections 46-80 and 46-80.1, any county having a charter may enact an ordinance, and may amend the same from time to time, authorizing the creation of special improvement districts for the purpose of providing [and], financing [supplemental], and coordinating federal, state, and county efforts to engage in:

- (1) Supplemental maintenance and security services [and such other];
- (2) Environmental research, restoration, and maintenance;
- (3) Natural resource management;

- (4) Natural hazard mitigation;
- (5) Climate change and sea level rise adaptation; and
- (6) Other improvements, services, and facilities within the special improvement district as the council of the county determines will improve environmental conditions, provide community benefits, and restore or promote business activity in the special improvement district and the making and financing of improvements therein.

Each separate special improvement district shall be established by a separate ordinance enacted as provided in the ordinance authorizing the creation of special improvement districts. The ordinance authorizing the creation of special improvement districts may permit the county to provide for a board or association, established pursuant to chapter 414D, to provide management of the special improvement district, and to carry out activities as may be prescribed by the ordinance authorizing the creation of special improvement districts and the ordinance establishing the special improvement district as permitted thereby.”

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

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

SECTION 5. This Act shall take effect on July 1, 2022.

(Approved June 27, 2022.)

Note

1. So in original.