

JAN 23 2025

A BILL FOR AN ACT

RELATING TO GOVERNMENT.

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

PART I

SECTION 1. (a) Notwithstanding any other law to the contrary, the fee simple interest in the following parcels of land with the existing improvements thereon (hereinafter "the properties") (but not including submerged land, accreted land, or any land makai of the shoreline), shall be conveyed by the department of land and natural resources, department of accounting and general services, Hawaii housing finance and development corporation, or other respective state agency, as grantor, to the city and county of Honolulu as grantee, as is, where is, and subject to any existing recorded ground leases, easements, and encumbrances:

- (1) TMK 1-1-5-7-2 (senior residence at Iwilei);
- (2) TMK 1-1-5-7-1 (Liliha civic center);
- (3) TMK 1-1-7-27-1 (Aala park);
- (4) TMK 1-1-5-9-1 (Institute for Human Services);
- (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 above-listed parcel
7 with all existing improvements, to the city and county of
8 Honolulu as grantee. As these are conveyances in which the city
9 and county of Honolulu and the State and its agencies are the
10 only parties, the tax imposed by section 247-1, Hawaii Revised
11 Statutes, shall not apply. Effective on the date of transfer
12 pursuant to subsection (d), every reference to the present
13 titleholder or the head of the department or agency in each
14 instrument, if the titleholder is a department or an agency,
15 shall be construed as a reference to the city and county of
16 Honolulu.

17 (c) The city and county of Honolulu shall accept the
18 properties in their existing condition. All claims and
19 liabilities against the respective state agency serving as
20 grantor for each parcel in subsection (a), if any, which the
21 city and county of Honolulu has, may have had, or may have in



1 the future, regarding any injury, loss, cost, damage, or
2 liability, including reasonable attorneys' fees, concerning the
3 physical, environmental, soil, economic, and legal conditions of
4 the conveyed properties, are released, waived, and extinguished.

5 (d) Transfer of the parcels shall be effective
6 December 31, 2025.

7 PART II

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

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



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

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

20 (d) Transfer of the parcel shall be effective December 31,
21 2025.



PART III

SECTION 3. Act 45, Session Laws of Hawaii 2024, is amended by amending section 4 to read as follows:

"SECTION 4. This Act shall take effect upon its approval, and shall apply to bond proceeds expended by a county after December 31, 2023[, and shall be repealed on June 30, 2028; provided that section 46-15.1, Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day before the effective date of this Act]."

PART IV

SECTION 4. The city and county of Honolulu shall accept the properties transferred in section 1 of this Act in satisfaction of all amounts owed by the Hawaii housing finance and development corporation under the Kapolei roadways, drainage, and sewer settlement.

PART V

SECTION 5. Section 171-2, Hawaii Revised Statutes, is amended to read as follows:

"§171-2 Definition of public lands. "Public lands" means all lands or interest therein in the State classed as government or crown lands previous to August 15, 1895, or acquired or



1 reserved by the government upon or subsequent to that date by
2 purchase, exchange, escheat, or the exercise of the right of
3 eminent domain, or in any other manner; including lands accreted
4 after May 20, 2003, and not otherwise awarded, submerged lands,
5 and lands beneath tidal waters that are suitable for
6 reclamation, together with reclaimed lands that have been given
7 the status of public lands under this chapter, except:

8 (1) Lands designated in section 203 of the Hawaiian Homes
9 Commission Act, 1920, as amended;

10 (2) Lands set aside pursuant to law for the use of the
11 United States;

12 (3) Lands being used for roads and streets;

13 (4) Lands to which the United States relinquished the
14 absolute fee and ownership under section 91 of the
15 Hawaiian Organic Act before the admission of Hawaii as
16 a state of the United States unless subsequently
17 placed under the control of the board of land and
18 natural resources and given the status of public lands
19 in accordance with the state constitution, the
20 Hawaiian Homes Commission Act, 1920, as amended, or
21 other laws;



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

2 (6) Non-ceded lands set aside by the governor to the
3 Hawaii housing finance and development corporation or
4 lands to which the Hawaii housing finance and
5 development corporation in its corporate capacity
6 holds title;

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

9 (8) Lands set aside by the governor to the Hawaii public
10 housing authority or lands to which the Hawaii public
11 housing authority in its corporate capacity holds
12 title;

13 (9) Lands to which the department of agriculture holds
14 title by way of foreclosure, voluntary surrender, or
15 otherwise, to recover moneys loaned or to recover
16 debts otherwise owed the department under chapter 167;

17 (10) Lands that are set aside by the governor to the Aloha
18 Tower development corporation, lands leased to the
19 Aloha Tower development corporation by any department
20 or agency of the State, or lands to which the Aloha



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



1 (17) Lands transferred to the department of land and
2 natural resources pursuant to Act , Session Laws of
3 Hawaii 2025;

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

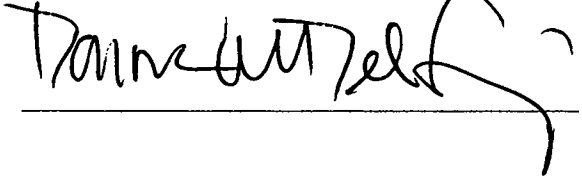
16 SECTION 6. Real property transferred to the department of
17 land and natural resources under this Act shall not be
18 considered part of the public land trust as described in
19 section 171-18, Hawaii Revised Statutes.



1 PART VI

2 SECTION 7. Statutory material to be repealed is bracketed
3 and stricken.

4 SECTION 8. This Act shall take effect on July 1, 2025.

5 INTRODUCED BY: 



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 State. Repeals the sunset provision of Act 4, SLH 2024. Requires the City and County of Honolulu to accept the properties transferred in satisfaction of all amounts owed by Hawaii Housing Finance and Development Corporation under the Kapolei roadways, drainage, and sewer settlement. Exempts the land transferred from the definition of public lands for purposes of chapter 171, HRS.

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

