

JAN 17 2014

S.B. NO. 2539

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY DEVELOPMENT AUTHORITY.

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

1 SECTION 1. Section 171-64.7, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) Notwithstanding any law to the contrary, no sale of
4 lands described in subsection (a) in fee simple including land
5 sold for roads and streets, or gift of lands described in
6 subsection (a) in fee simple to the extent such gift is
7 otherwise permitted by law, shall occur without the prior
8 approval of the sale or gift by the legislature by concurrent
9 resolution to be adopted by each house by at least a two-thirds
10 majority vote of the members to which each house is entitled in
11 a regular or special session at which a concurrent resolution is
12 submitted for approval of the sale; provided that the provisions
13 of this section shall not apply to remnants, as that term is
14 defined in section 171-52, or portions thereof; provided further
15 that this section shall not apply to the issuance of licenses,
16 permits, easements, and leases executed in conformance with the
17 laws applicable to the lands listed in subsection (a); provided
18 further that this section shall not apply to non-ceded lands



1 conveyed to the University of Hawaii after December 31, 1989 to
2 which the University of Hawaii holds title[-]; provided further
3 that this section shall not apply to reserved housing, as that
4 term is defined in section 206E-101."

5 SECTION 2. Section 206E-31.5, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "~~{}\$206E-31.5{}~~ **Prohibitions.** (a) Anything contained
8 in this chapter to the contrary notwithstanding, the authority
9 is prohibited from:

10 (1) Selling or otherwise assigning the fee simple interest
11 in any lands in the Kakaako community development
12 district to which the authority in its corporate
13 capacity holds title, except with respect to:

14 (A) Utility easements;

15 (B) Remnants as defined in section 171-52;

16 (C) Grants to any state or county department or
17 agency; ~~{}~~

18 (D) Private entities for purposes of any easement,
19 roadway, or infrastructure improvements; or

20 (E) Reserved housing as defined in section 206E-101;
21 provided that:



(i) The fee simple interest is sold or otherwise assigned to an eligible owner, as determined by the authority; and

(ii) The reserved housing remains affordable in perpetuity; or

(2) Approving any plan or proposal for any residential development in that portion of the Kakaako community development district makai of Ala Moana boulevard and between Kewalo basin and the foreign trade zone.

(b) For purposes of this section, "affordable" means
available for purchase by a family or individual whose income
does not exceed eighty per cent of the area median income as
determined by the United States Department of Housing and Urban
Development."

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: Ernest Chun Cabalod



S.B. NO. 2539

Report Title:

Hawaii Community Development Authority; Reserved Housing Units

Description:

Allows the Hawaii Community Development Authority to sell reserved housing as defined in section 206E-101, Hawaii Revised Statutes, without legislative approval and in fee simple under certain conditions.

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

