

JAN 17 2014

A BILL FOR AN ACT

RELATING TO SUBDIVISION DOCUMENTS.

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

1 SECTION 1. The legislature finds that section 264-43,
2 Hawaii Revised Statutes, which exempts the department of
3 transportation from county subdivision ordinances in acquiring,
4 subdividing, consolidating, maintaining, and administering the
5 state highway system, poses problems for counties. For example,
6 section 3.48.010(F) of the Maui county code provides in
7 pertinent part: "The director [of finance] shall provide for
8 the County maps drawn to appropriate scale, showing all parcels,
9 blocks, lots, or other divisions of land based upon ownership,
10 and their areas or dimensions, numbered or otherwise designated
11 in a systematic manner for convenience of identification,
12 valuation, and assessment." The exemption makes it difficult
13 for Maui county to maintain accurate records of subdivision
14 parcel ownership, since the department of transportation is not
15 required to furnish any information to Maui county about parcels
16 that may have been transferred by the department to private
17 owners or vice versa. The consequences are as follows:



(1) The fire department is unable to ascertain ownership of particular subdivision lots;

(2) Property owners are assessed property taxes on property that they no longer own; and

(3) Real estate transactions are not completed in a timely fashion since subdivision maps may inaccurately reflect ownership of parcels.

The legislature further finds that the department of Hawaiian home lands and the department of land and natural resources pose similar problems to the counties as the department of transportation in their respective land transactions in subdivisions.

The purpose of this Act is to require the department of transportation, department of Hawaiian home lands, and department of land and natural resources to furnish certain information to the counties regarding subdivision transactions.

The legislature deems this Act to be revenue neutral and finds that this Act does not impose additional costs upon the counties or constitute a new program subject to article VIII, section 5, of the Hawaii State Constitution.

SECTION 2. Section 264-43, Hawaii Revised Statutes, is amended to read as follows:



- (1) The final right of way project maps, including federal aid project maps if any;
- (2) Final orders of condemnation if any; and
- (3) Recorded deeds and title transfers."

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

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S.B. NO. 2747

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S.B. NO. 2747

Report Title:

Counties; DOT; Subdivision Information

Description:

Requires the DOT, DHHL, and DLNR to submit to the counties certain information on parcels located within a subdivision.

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

