
A BILL FOR AN ACT

RELATING TO THE DWELLING UNIT REVOLVING FUND.

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

1 SECTION 1. The legislature finds that orderly and planned
2 infrastructure construction is the foundation for planned
3 population growth and desirable communities and is a public
4 purpose for which public funds should be appropriated and
5 expended. Infrastructure construction should be coordinated and
6 timed or phased with planned development. Adequate
7 infrastructure to accommodate future growth would provide
8 livable communities with a desirable quality of life, make
9 possible strategically situated affordable housing near jobs,
10 and allow necessary infrastructure capacity to support
11 development. Based on population projections prepared by the
12 State, the individual counties would first plan and determine
13 where growth is desirable then proceed to construct, in
14 coordination with applicable state agencies, the infrastructure
15 to support the planned growth in those areas.

16 The legislature further finds that population increase will
17 occur and economic growth is necessary; therefore, both should
18 be planned for properly. Prior experience indicates that the



1 lack of adequate infrastructure is a severe constraint to future
2 growth. For example, as Honolulu plans for its new fixed
3 guideway system, discussion will focus on quality of life issues
4 as the community begins to balance higher densities in and
5 around the transit corridor with the need to protect open space
6 and agricultural areas. Infrastructure capacity must be
7 increased to accommodate higher densities in and around the
8 transit corridor. While this problem is most evident on Oahu,
9 the neighbor islands also suffer from lack of infrastructure
10 capacity to accommodate future growth. It is necessary to
11 assist all counties, in accordance with an orderly and
12 predictable plan for increasing infrastructure capacity, to
13 better utilize existing areas for planned growth and mitigate
14 impacts to areas that are appropriate for growth.

15 The State's role in dealing with this growth would be to
16 provide coordination with the counties on "regional state
17 infrastructure" construction in areas of planned growth.
18 Although the primary responsibility for meeting basic municipal
19 infrastructure needs continues to reside with the counties, much
20 of the work will need to be coordinated with the State for
21 "regional state infrastructure improvements". Infrastructure



1 projects included under this Act are regional sewer, water,
2 drainage, roads, and telecommunications and broadband, if a
3 project increases the capacity to accommodate future growth, and
4 not solely benefit one particular project. Increased capacity
5 is distinguishable from maintenance. While maintenance would
6 increase the life of the facility or infrastructure, only
7 projects that would result in increased infrastructure capacity
8 would be eligible for supplemental funding under this Act.

9 The purpose of this Act is to provide grants and loans to
10 state agencies and loans to the counties and private developers
11 for infrastructure improvements. Furthermore, the intent of
12 this Act is to allow for innovative financing techniques, such
13 as tax increment financing and improvement districts, to fund
14 loans based upon the use of the new infrastructure capacity.

15 SECTION 2. Chapter 201H, Hawaii Revised Statutes, is
16 amended by adding a new section to be appropriately designated
17 and to read as follows:

18 "§201H- Regional state infrastructure subaccounts. (a)
19 The corporation, upon request by a county, may establish and
20 operate a regional state infrastructure subaccount within the
21 dwelling unit revolving fund for the benefit of the housing and



1 mixed-use transit-oriented development projects within the
2 county.

3 (b) Each regional state infrastructure subaccount shall
4 consist of the following sources of revenue:

5 (1) Moneys received by the corporation from counties for
6 the repayment of the loan principal and the payment of
7 simple interest from various assessments or fees from
8 special improvement districts, improvement districts,
9 tax increment financing districts, community
10 facilities districts, and other areas where property
11 value increases are captured over periods of time for
12 the purposes of infrastructure financing;

13 (2) Appropriations from the legislature;

14 (3) Federal grants and subsidies to the State or counties,
15 if any;

16 (4) Private investor investments; and

17 (5) Voluntary contributions.

18 (c) The corporation shall expend revenues in the
19 subaccounts to make grants and loans to state agencies and loans
20 to counties or private developers for the costs, in whole or in
21 part, of infrastructure improvements that would increase the



capacity of the infrastructure facilities, including regional sewer, water, drainage systems, roads, and telecommunications and broadband, or to facilitate complete streets and smart growth improvements to enhance connectivity, livability, and safety.

Grants and loans shall be made only for capital improvement projects approved by the respective county council and mayor, or state agency, as applicable, with a view towards planned growth rather than upkeep and maintenance.

(d) Eligible costs shall include those for planning, design, feasibility studies, construction, and materials. No grant or loan shall be made:

(1) For maintenance or repair costs unless the construction would simultaneously increase the carrying capacity of the infrastructure facility; or

(2) Solely for mass transit or electrical utilities.

The corporation may also expend revenues in the fund to repay private investors for their investment plus any interest accrued on their investments made into the fund to finance, in whole or in part, infrastructure improvements that would increase the capacity of the infrastructure facilities,



1 including regional sewer, water, drainage, road, and
2 telecommunications and broadband.

3 (e) The corporation may accept improved land from the
4 counties or private developers in repayment of their loans.

5 (f) The corporation shall adopt rules in accordance with
6 chapter 91 for the purposes of this section."

7 SECTION 3. Section 201H-191, Hawaii Revised Statutes, is
8 amended to read as follows:

9 "[+]§201H-191[+] Dwelling unit revolving fund. (a) There
10 is created a dwelling unit revolving fund. The funds
11 appropriated for the purpose of the dwelling unit revolving fund
12 and all moneys received or collected by the corporation for the
13 purpose of the revolving fund shall be deposited in the
14 revolving fund. The proceeds in the revolving fund shall be
15 used to reimburse the general fund to pay the interest on
16 general obligation bonds issued for the purposes of the
17 revolving fund, for the necessary expenses in administering
18 housing development programs[7] and regional state
19 infrastructure programs, and for carrying out the purposes of
20 housing development programs[7] and regional state
21 infrastructure programs, including but not limited to the



1 expansion of community facilities and regional state
2 infrastructure constructed in conjunction with housing and
3 mixed-use transit-oriented development projects, permanent
4 primary or secondary financing, and supplementing building
5 costs, federal guarantees required for operational losses, and
6 all things required by any federal agency in the construction
7 and receipt of federal funds or low-income housing tax credits
8 for housing projects.

9 (b) Subject to the requirements of subsection (a),
10 proceeds in the revolving fund may be used to establish and
11 operate regional state infrastructure subaccounts pursuant to
12 section 201H- ."

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

15 SECTION 5. This Act shall take effect on July 1, 2016.



Report Title:

Dwelling Unit Revolving Fund; Regional State Infrastructure
Improvement Subaccounts

Description:

Authorizes the creation of Regional State Infrastructure
Improvement Subaccounts within the Dwelling Unit Revolving Fund
and the use of the Dwelling Unit Revolving Fund to provide loans
and grants to finance regional state infrastructure improvements
in areas of planned growth. (SD1)

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