
A BILL FOR AN ACT

RELATING TO AFFORDABLE HOUSING.

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

1 SECTION 1. Chapter 171, Hawaii Revised Statutes, is
2 amended by adding a new section to subpart D of part II to be
3 appropriately designated and to read as follows:

4 "§171- Affordable housing; county-designated
5 transit-oriented development zone. (a) For a leasehold
6 residential development project subject to section 171-60(a),
7 the board shall require in its development contract with the
8 developer or developers that, if the development project is
9 located on public land that is wholly- or partially-situated
10 within a county-designated transit-oriented development zone,
11 then no less than per cent of the residential units in the
12 development project shall be sold or rented only to low-income
13 residents for the entire term of the developer's or developers'
14 leasehold interest in the land.

15 (b) For the purposes of this section, a "low-income
16 resident" means an individual who is a resident of the State
17 and:



- 1 (1) Is the only member of a family of one and has an
2 income of not more than per cent of the area
3 median income for a family of one; or
4 (2) Is part of a family with an income of not more than
5 per cent of the area median income for a family
6 of the same size."

7 SECTION 2. Chapter 201H, Hawaii Revised Statutes, is
8 amended by adding a new section to part II to be appropriately
9 designated and to read as follows:

10 "§201H- Affordable housing; county-designated
11 transit-oriented development zone. (a) In addition to the
12 restrictions under section 201H-47, if the real property to be
13 developed and sold is located wholly- or partially-situated
14 within a county-designated transit-oriented development zone,
15 the corporation shall:

- 16 (1) Sell only a leasehold interest in the real property;
17 and
18 (2) Require in the lease that no less than per cent
19 of the dwelling units in the development project shall
20 be sold or rented only to low-income residents for the



1 entire term of the purchaser's leasehold interest in
2 the real property.

3 (b) For the purposes of this section, a "low-income
4 resident" means an individual who is a resident of the State
5 and:

6 (1) Is the only member of a family of one and has an
7 income of not more than per cent of the area
8 median income for a family of one; or

9 (2) Is part of a family with an income of not more than
10 per cent of the area median income for a family
11 of the same size."

12 SECTION 3. Chapter 206E, Hawaii Revised Statutes, is
13 amended by adding a new section to part I to be appropriately
14 designated and to read as follows:

15 "§206E- Affordable housing; county-designated
16 transit-oriented development zone. (a) In addition to the
17 authority granted under section 206E-15, if the authority deems
18 it desirable to develop and transfer to qualified persons a
19 residential project that is:

20 (1) Located on public land that is under the control and
21 management of the authority; and



1 (2) Wholly- or partially-situated within a county-
2 designated transit-oriented development zone,
3 then the project shall be subject to the requirements of
4 subsection (b).

5 (b) The authority shall:

6 (1) Transfer to qualified persons only a leasehold
7 interest in the land; and

8 (2) Require in the leasehold agreement with the qualified
9 persons that no less than per cent of the
10 residential units in the project shall be sold or
11 rented only to low-income residents for the entire
12 term of the leasehold interest in the public land.

13 (c) For the purposes of this section, a "low-income
14 resident" means an individual who is a resident of the State
15 and:

16 (1) Is the only member of a family of one and has an
17 income of not more than per cent of the area
18 median income for a family of one; or

19 (2) Is part of a family with an income of not more than
20 per cent of the area median income for a family
21 of the same size."



1 SECTION 4. This Act does not affect rights and duties that
2 matured, penalties that were incurred, and proceedings that were
3 begun before its effective date.

4 SECTION 5. New statutory material is underscored.

5 SECTION 6. This Act shall take effect on January 1, 2050.



Report Title:

Affordable Housing; County-Designated Transit-Oriented
Development Zone

Description:

Requires reservation of a percentage of units in a housing development on public land or real property in a county-designated transit-oriented development zone and under the control of the Board of Land and Natural Resources, the Hawaii Housing Finance and Development Corporation, or the Hawaii Community Development Authority for low-income residents. Limits allowable transfer of interest in the real property to a developer to transfer of only leasehold interest. (HB2142 HD1)

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