
A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

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

1 SECTION 1. Section 302A-1603, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§302A-1603 Applicability and exemptions.** (a) Except as
4 provided in subsection (b), any person who seeks to develop a
5 new residential development within a designated school impact
6 district requiring:

- 7 (1) A county subdivision approval;
8 (2) A county building permit; or
9 (3) A condominium property regime approval for the
10 project,

11 shall be required to fulfill the land component impact fee or
12 fee in lieu requirement and construction cost component impact
13 fee requirement of the department [~~, including all government~~
14 ~~housing projects and projects processed pursuant to sections 46-~~
15 ~~15.1 and 201H-38]~~.

16 (b) The following shall be exempt from this section:



- 1 (1) Any form of housing permanently excluding school-aged
2 children, with the necessary covenants or declarations
3 of restrictions recorded on the property;
- 4 (2) Any form of housing that is or will be paying the
5 transient accommodations tax under chapter 237D;
- 6 (3) All nonresidential development; [~~and~~]
- 7 (4) Any development with an executed education
8 contribution agreement or other like document with the
9 department for the contribution of school sites or
10 payment of fees for school land or school
11 construction[-]; and
- 12 (5) Any housing project that has been certified or
13 approved for a general excise tax exemption under
14 section 201H-36 and all government housing projects
15 and projects processed pursuant to sections 46-51.1
16 and 201H-38."

17 SECTION 2. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.

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 Statutory material to be repealed is bracketed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



1 SECTION 4. This Act shall take effect upon a date to be
2 determined.



Report Title:

School Impact Fees; Exemption for Affordable Housing

Description:

Exempts certain affordable housing projects from the school-impact-fee requirement, including government affordable housing projects under sections 46-15.1 and 201H-38, Hawaii Revised Statutes. (HB841 HD1)

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

