

JAN 24 2018

A BILL FOR AN ACT

RELATING TO TRANSIENT ACCOMMODATIONS.

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

1 SECTION 1. (a) Notwithstanding any provision of section
2 237D-6.5, Hawaii Revised Statutes, to the contrary, a county
3 shall be eligible to receive \$1,000,000 from the State for the
4 purpose of enforcing all applicable laws and ordinances relating
5 to transient accommodations; provided that no funds shall be
6 released to a county until it has satisfactorily complied with
7 the following conditions:

8 (1) Established a real property tax rate that applies only
9 to:

10 (A) Transient accommodations; or

11 (B) Short-term vacation rentals occupied for a period
12 of thirty consecutive days or less;

13 (2) Developed a process to expediently issue special use
14 permits to, and collect all applicable taxes from,
15 qualifying properties that are proposed for use as:

16 (A) Transient accommodations; or



- 1 (B) Short-term vacation rentals occupied for a period
2 of thirty consecutive days or less;
- 3 (3) Established a registry to track compliance by, and any
4 complaints concerning, permittees who receive special
5 use permits pursuant to paragraph (2);
- 6 (4) Established an expedited process for addressing
7 alleged violations of zoning and special use permits
8 laws and ordinances by operators of:
- 9 (A) Transient accommodations; or
- 10 (B) Short-term vacation rentals occupied for a period
11 of thirty consecutive days or less;
- 12 (5) Established an expedited process for addressing an
13 appeal filed by a party that was denied a special use
14 permit pursuant to paragraph (2); provided that a
15 county that has not established an expedited process
16 by December 31, 2018, shall establish a process that
17 is functionally equivalent to the contested case
18 hearing process described in section 91-9, Hawaii
19 Revised Statutes;
- 20 (6) Enacted legislation that implements the conditions
21 described in paragraphs (1) through (5); and



1 (7) Notified the governor in writing that it has complied
2 with the conditions described in paragraphs (1)
3 through (6).

4 (b) Within ten days of receiving written notification from
5 the mayor of a county that it has complied with the conditions
6 described in subsection (a)(1) through (a)(6), the governor
7 shall instruct the director of finance to review whether the
8 county's compliance with the required conditions is
9 satisfactory. If the director's review indicates that the
10 county's compliance is satisfactory, the director of finance
11 shall release to the county the funds authorized in section 2 of
12 this Act; provided that the funds have not lapsed. If the
13 director's review indicates that the county's compliance with
14 the required conditions is not satisfactory, the director shall
15 communicate to the mayor of the county the results of the review
16 and shall specify the actions that the county must take to
17 achieve satisfactory compliance with the required conditions.
18 The release of funds to a county under this Act shall not be
19 contingent upon another county having complied with the
20 conditions described in subsection (a)(1) through (a)(6).



(c) As used in this section, "transient accommodations" has the same meaning as in section 237D-1, Hawaii Revised Statutes.

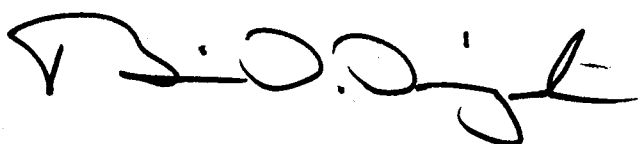
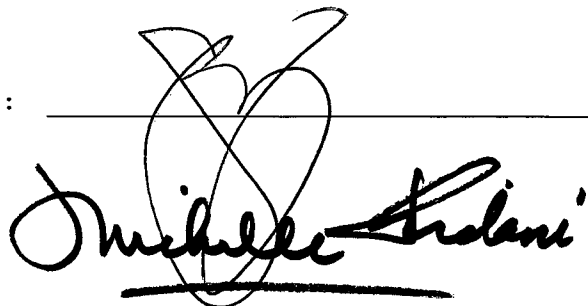
SECTION 2. There is appropriated out of the revenues collected under chapter 237D, Hawaii Revised Statutes, prior to any distribution to the counties under section 237D-6.5, Hawaii Revised Statutes, the sum of \$4,000,000 or so much thereof as may be necessary for fiscal year 2018-2019 for the counties of Honolulu, Maui, Hawaii, and Kauai to enforce all applicable laws and ordinances relating to transient accommodations as established in this Act; provided that no respective county shall receive more than \$1,000,000 from this appropriation.

The sum appropriated shall be expended by the respective counties for the purposes of this Act.

Any unexpended balance of any appropriation made by this Act as of the close of business on June 30, 2019, shall lapse into the general fund.

SECTION 3. This Act shall take effect on July 1, 2018.

INTRODUCED BY: _____


S.B. NO. 2963

Will Geo
Rich Lehm



S.B. NO. 2963

Report Title:

Transient Accommodations; Vacation Rentals; Counties;
Enforcement; Appropriation

Description:

Provides that a county shall be eligible to receive \$1,000,000 from the State for the purpose of enforcing all applicable laws and ordinances relating to transient accommodations, provided that no funds shall be released to a county until it has satisfactorily complied with specified conditions. Makes an appropriation from TAT revenues.

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

