JAN 1 8 2019

A BILL FOR AN ACT

RELATING TO PUBLIC ACCESS.

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

1	SECTIO	ON 1. Section 46-6.5, Hawaii Revised Statutes, is
2	amended by	amending subsection (c) to read as follows:
3	"(c)	Upon the dedication of land for a right-of-way, as
4	required by	this section [and acceptance by the county], the
5	county concerned shall [thereafter] either:	
6	<u>(1)</u>	Accept the dedication and assume the cost of
7	i	improvements for and the maintenance of the right-of-
8	W	way[, and the subdivider shall accordingly be relieved
9	£	rom such costs.]; provided that the county may
10	. <u>1</u>	require, by ordinance, that the subdivider or
11	<u>Ċ</u>	developer establish and initially fund a stewardship
12	<u>f</u>	fund to be controlled by the county for the
13	<u>i</u>	improvement and future maintenance of the right-of-
14	<u>v</u>	way; or
15	<u>(2)</u> <u>1</u>	In the alternative to the county accepting dedication
16	<u> </u>	of the right-of-way, require, by ordinance, that the
17	S	subdivider, or the subdivider's or developer's

1	successor in interest in the form of a planned
2	community association, improve and maintain the right-
3	of-way."
4	SECTION 2. This Act does not affect rights and duties that
5	matured, penalties that were incurred, and proceedings that were
6	begun before its effective date.
7	SECTION 3. Statutory material to be repealed is bracketed
8	and stricken. New statutory material is underscored.
9	SECTION 4. This Act shall take effect upon its approval.
10	
	INTRODUCED BY:
	INTRODUCED BY: Described of Ball

S.B. NO. **830**

Report Title:

Subdivisions; Public Access

Description:

Provides that where public access is required as a condition of a subdivision, either the county must accept dedication of and maintain the access or identify an entity to own and maintain the access. Authorizes the county to require the subdivider to establish a stewardship fund for maintenance purposes.

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