



GOV. MSG. NO. 1211

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 28, 2021

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 28, 2021, the following bill was signed into law:

SB1053 SD2 HD1 CD1

RELATING TO THE HAWAII COMMUNITY-
BASED ECONOMIC DEVELOPMENT
TECHNICAL AND FINANCIAL ASSISTANCE
PROGRAM
ACT 109 (21)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 28 2021

THE SENATE
THIRTY-FIRST LEGISLATURE, 2021
STATE OF HAWAII

ACT 109
S.B. NO.

1053
S.D. 2
H.D. 1
C.D. 1

A BILL FOR AN ACT

RELATING TO THE HAWAII COMMUNITY-BASED ECONOMIC DEVELOPMENT
TECHNICAL AND FINANCIAL ASSISTANCE PROGRAM.

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

1 SECTION 1. Section 210D-11, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§210D-11 Grants; conditions and qualifications. (a)
4 Grants shall be made for amounts not to exceed \$100,000 for each
5 applicant. Applications for grants shall be made to the
6 department and contain such information as the department shall
7 require by rules adopted pursuant to chapter 91. At a minimum,
8 the applicant must show that:

9 (1) The grant shall be used exclusively for community-
10 based economic development activities, a community-
11 based business or enterprise, or the provision of
12 technical assistance [~~to community-based~~
13 ~~organizations~~], consistent with the purposes of this
14 chapter;

15 (2) The community-based business or enterprise shall have
16 applied for or received all applicable licenses and
17 permits;



1 (3) The applicant shall comply with all applicable federal
2 and state laws prohibiting discrimination against any
3 person on the basis of race, color, national origin,
4 religion, creed, sex, age, sexual orientation,
5 disability, or any other characteristic protected
6 under applicable federal or state law;

7 (4) The grant shall not be used for purposes of
8 entertainment or perquisites;

9 (5) The applicant shall comply with other requirements as
10 the department may prescribe;

11 (6) All activities and improvements undertaken with funds
12 received shall comply with all applicable federal,
13 state, and county statutes and ordinances, including
14 applicable building codes and agency rules;

15 (7) The applicant shall indemnify and save harmless the
16 State of Hawaii and its officers, agents, and
17 employees from and against any and all claims arising
18 out of or resulting from activities carried out or
19 projects undertaken with funds provided hereunder, and
20 procure sufficient insurance to provide this



1 indemnification if requested to do so by the
2 department; and

3 (8) The facilities shall not be used and are not intended
4 to be used for sectarian instruction or as a place of
5 worship.

6 (b) To receive a grant under this section for community-
7 based economic development activities, a community-based
8 enterprise or business, or the provision of technical assistance
9 ~~[to community-based organizations]~~, an applicant shall:

10 (1) Be either:

11 (A) A profit subsidiary of a nonprofit community-
12 based organization incorporated under the laws of
13 the State;

14 (B) A nonprofit community-based organization
15 determined to be exempt from federal income
16 taxation by the Internal Revenue Service;

17 (C) A cooperative association; or

18 (D) An organization providing technical assistance
19 ~~[to community-based organizations]~~;

20 (2) In the case of a nonprofit organization, have a
21 governing board whose members have no material



1 conflict of interest and serve without compensation,
2 have bylaws or policies that describe the manner in
3 which business is conducted and policies relating to
4 nepotism and management of potential conflict of
5 interest situations, and employ or contract with no
6 two or more members of a family or kin of the first or
7 second degree unless specifically permitted by the
8 department;

9 (3) Agree to make available to the department all records
10 the applicant may have relating to the grant, to allow
11 state agencies to monitor the applicant's compliance
12 with the purpose of this chapter; and

13 (4) Establish, to the satisfaction of the department, that
14 sufficient funds are available for the effective
15 operation of the activity, business, enterprise, or
16 technical assistance for the purpose for which the
17 grant is awarded."

18 SECTION 2. Statutory material to be repealed is bracketed
19 and stricken.

20 SECTION 3. This Act shall take effect upon its approval.

S.B. NO.

1053
S.D. 2
H.D. 1
C.D. 1

APPROVED this 28 day of JUN, 2021

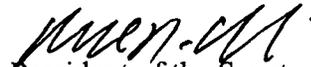
A handwritten signature in black ink, appearing to read "David Ige". The signature is fluid and cursive, with a large, sweeping flourish at the end.

GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 27, 2021
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2021.


President of the Senate


Clerk of the Senate

SB No. 1053, SD 2, HD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 27, 2021
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2021.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives