
A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

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

1 PART I

2 SECTION 1. Section 302A-1603, Hawaii Revised Statutes, is
3 amended by amending subsection (b) to read as follows:

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

5 (1) Any form of housing permanently excluding school-aged
6 children, with the necessary covenants or declarations
7 of restrictions recorded on the property;

8 (2) Any form of housing that is or will be paying the
9 transient accommodations tax under chapter 237D;

10 (3) All nonresidential development; [~~and~~]

11 (4) Any development with an executed education
12 contribution agreement or other like document with the
13 department for the contribution of school sites or
14 payment of fees for school land or school
15 construction[~~-~~]; and



1 impact district, either on the same site or on a different
2 site."

3 2. By amending subsection (1) to read:

4 "[+] (1) [+] Fees in lieu, proceeds from the sale of all or
5 part of an existing school site that has been dedicated by a
6 developer pursuant to the requirements of this subpart, and
7 construction cost component impact fees shall be expended or
8 encumbered within twenty years of the date of collection. Fees
9 shall be considered spent or encumbered on a first-in, first-out
10 basis. ~~[An expenditure plan for all collected impact fees shall
11 be incorporated into the annual budget process of the department
12 and subject to legislative approval of the budget.]~~"

13 PART III

14 SECTION 4. This Act does not affect rights and duties that
15 matured, penalties that were incurred, and proceedings that were
16 begun before its effective date.

17 SECTION 5. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 6. This Act shall take effect on January 1, 2050;
20 provided that section 1 of this Act shall be repealed on July 1,
21 2024.



Report Title:

School Impact Fees; Education; Housing; DHHL

Description:

Excludes housing developed by the department of Hawaiian home lands from school impact fees for three years. Allows construction cost component impact fees to be used to improve or renovate existing structures for school use. Repeals the requirement that an expenditure plan for all collected impact fees be incorporated into the department of education's annual budget process. Effective 1/1/2050. (SD1)

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

