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# A BILL FOR AN ACT

RELATING TO SCHOOL IMPACT FEES.

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

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PART I

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

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

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

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

~~-(3) All nonresidential development,] and~~

~~[(4)]~~ (2) Any development with an executed education contribution agreement or other like document with the department for the contribution of school sites or payment of fees for school land or school construction."



1 PART II

2 SECTION 2. The legislature finds that the department of  
3 education requires statutory flexibility to effectively manage  
4 and expend school impact fees. The purpose of this part is to  
5 provide that flexibility.

6 SECTION 3. Section 302A-1608, Hawaii Revised Statutes, is  
7 amended as follows:

8 1. By amending subsection (h) to read:

9 "[+] (h) [+] Construction cost component impact fees shall  
10 be used only [~~for~~]:

11 (1) For the costs of new school facilities that expand the  
12 student capacity of existing schools or adds student  
13 capacity in new schools~~[-]~~; or

14 (2) To improve or renovate existing structures for school  
15 use.

16 Construction cost component impact fees [~~may~~] shall not be used  
17 to replace an existing school located within the same school  
18 impact district, either on the same site or on a different  
19 site."





**Report Title:**

DOE; School Impact Fees; Exemptions; Renovation; Budget Process

**Description:**

Repeals the school impact fee exemptions for nonresidential development and housing subject to the transient accommodations tax when seeking development in a designated school impact district requiring county subdivision approval, county building permit, or condominium property regime approval of the project. 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 12/1/2050. (HD1)

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

