

JAN 21 2022

A BILL FOR AN ACT

RELATING TO ZONING.

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

1 SECTION 1. Chapter 302A, Hawaii Revised Statutes, is
2 amended by adding a new section to part VI, subpart C, to be
3 appropriately designated and to read as follows:

4 "§302A- Development of housing for department employees.

5 (a) The authority, on its own behalf or in coordination with
6 other state agencies, shall plan and develop housing on public
7 land for employees of the department.

8 (b) The authority may enter into contracts and
9 partnerships as necessary to develop housing pursuant to this
10 section.

11 (c) The authority may establish exemptions to zoning
12 restrictions and ordinances for the purpose of developing
13 housing projects pursuant to this section.

14 (d) Notwithstanding any law to the contrary, chapter 515
15 shall apply in administering this section.

16 (e) The authority shall adopt rules pursuant to chapter 91
17 for the purposes of this section."



SECTION 2. Section 302A-1703, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) Except as otherwise limited by this chapter, the authority may also:

(1) Have a seal and alter the same at its pleasure;

(2) Subject to subsection (b), make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this subpart;

(3) Make and alter bylaws for its organization and internal management;

(4) Adopt rules pursuant to chapter 91 with respect to its projects, operations, properties, and facilities, including qualifications for persons and entities wishing to enter into a public-private partnership with the authority, as permitted in paragraph (7);

(5) Acquire or contract to acquire by grant or purchase real, personal, or mixed property or any interest therein; to clear, improve, and rehabilitate and to sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same;



(6) Acquire property by condemnation pursuant to chapter 101;

(7) Enter into partnerships with qualified persons, including public-private partnerships, as defined in the authority's rules, to acquire, construct, reconstruct, rehabilitate, improve, alter, or provide for the construction, reconstruction, improvement, or alteration of any project; and sell, assign, transfer, convey, exchange, lease, or otherwise dispose of or encumber any project; and in the case of the sale of any project, accept a purchase money mortgage in connection therewith;

(8) Grant options to purchase any project or to renew any lease entered into by it in connection with any of its projects, on terms and conditions as it deems advisable;

(9) Prepare or cause to be prepared plans, specifications, designs, and estimates of costs for the construction, reconstruction, rehabilitation, improvement, or alteration of any project, and from time to time to



1 modify the plans, specifications, designs, or
2 estimates;

3 (10) Procure insurance against any loss in connection with
4 its property and other assets and operations in
5 amounts and from insurers as it deems desirable;

6 (11) Apply for and accept gifts or grants in any form from
7 any public agency or from any other source, including
8 gifts or grants from private individuals and private
9 entities;

10 (12) Borrow money or procure loan guarantees from the
11 federal government for or in aid of any project the
12 authority is authorized to undertake pursuant to this
13 chapter. Additionally, in connection with borrowing
14 or procurement of loan guarantees, the authority:

15 (A) Shall comply with conditions required by the
16 federal government pursuant to applicable
17 regulation or required in any contract for
18 federal assistance;

19 (B) Shall repay indebtedness incurred pursuant to
20 this section, including any interest thereon;



1 (C) May execute loan and security agreements and
2 related contracts with the federal government;

3 (D) May issue bonds pledging revenues, assessments,
4 or other taxes as security for indebtedness
5 incurred pursuant to this section; and

6 (E) May enter into financing agreements as that term
7 is defined in section 37D-1;

8 (13) Appoint or retain by contract one or more attorneys
9 who are independent of the attorney general to provide
10 legal services solely in cases of negotiations in
11 which the attorney general lacks the sufficient
12 expertise; provided that the independent attorney
13 shall consult and work in conjunction with the
14 designated deputy attorney general;

15 (14) Use the department of human resources development to
16 recruit, hire, and retain exempt employees,
17 architects, engineers, existing civil service
18 positions, and other technical positions for the
19 development, planning, and construction related to
20 capital improvement projects; [and]



1 (15) Develop housing projects for employees of the
2 department pursuant to section 302A- ; and
3 [~~(15)~~] (16) Do any and all things necessary to carry out its
4 purposes and exercise the powers given and granted in
5 this subpart."

6 SECTION 3. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 4. This Act shall take effect upon its approval.

9

INTRODUCED BY:  _____



S.B. NO. **2227**

Report Title:

Department of Education; School Facilities Authority; Housing

Description:

Requires the School Facilities Authority to develop housing for employees of the Department of Education.

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