

# S.B. NO. 3102

JAN 26 2022

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## A BILL FOR AN ACT

RELATING TO COUNTIES.

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

1 SECTION 1. The legislature finds that the department of  
2 Hawaiian home lands often continues to have the responsibility  
3 to maintain infrastructure despite compliance with county  
4 requirements. The purpose of this Act is to require counties to  
5 provide for the maintenance of infrastructure for any housing  
6 development for the department of Hawaiian home lands within a  
7 specified time and under certain conditions.

8 SECTION 2. Chapter 46, Hawaii Revised Statutes, is amended  
9 by adding to part I a new section to be appropriately designated  
10 and to read as follows:

11 "§46- Infrastructure maintenance; housing development  
12 for the department of Hawaiian home lands. (a) Notwithstanding  
13 any other provision to the contrary, infrastructure for any  
14 housing development for the department of Hawaiian home lands  
15 shall be maintained by the county in accordance with county  
16 standards in which the housing development is located commencing  
17 sixty days after the receipt by the appropriate county agency of  
18 a completed application for maintenance request; provided that:

1        (1) Applicable meter and connection fees and utility costs  
2            relating to the infrastructure have been paid;

3        (2) The infrastructure conforms to applicable county  
4            standards in effect at the time of construction; and

5        (3) The completion of the improvements of the  
6            infrastructure is granted approval by the county.

7        (b) For the purposes of this section:

8            "Infrastructure" includes waterlines and appurtenances,  
9            storm drainage, including catch basins, sewerlines and  
10           appurtenances, waste disposal and waste treatment systems,  
11           roadway improvements including pavement, gutters, curbing,  
12           sidewalks, street trees, and street lighting that connect to  
13           county infrastructure."

14        SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY: 

18

BY REQUEST

# S.B. NO. 3102

**Report Title:**

Counties; Department of Hawaiian Home Lands; Infrastructure

**Description:**

Requires counties within sixty days to maintain infrastructure, under specified conditions, as part of any housing development for the Department of Hawaiian Home Lands.

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

JUSTIFICATION SHEET

DEPARTMENT: Hawaiian Home Lands

TITLE: A BILL FOR AN ACT RELATING TO COUNTIES.

PURPOSE: To require the counties within sixty days to maintain infrastructure, under specified conditions, as part of any housing development for the Department of Hawaiian Home Lands.

MEANS: Add a new section to part I of chapter 46, Hawaii Revised Statutes.

JUSTIFICATION: The Department of Hawaiian Home Lands complies with County requirements when developing subdivisions, yet the maintenance of infrastructure is often still the responsibility of the Department. The Counties are uniquely positioned to operate, improve, repair, and maintain infrastructure, allowing the Department to utilize its resources instead on developing homestead lots to meet the needs of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended.

Impact on the public: This proposal further protects the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by requiring the Counties to maintain infrastructure as part of any housing development for the Department of Hawaiian Home Lands.

Impact on the department and other agencies: More funding could be allocated toward the development of housing instead of maintenance of infrastructure.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION:

HHL 625.

**SB. NO. 3102**

OTHER AFFECTED  
AGENCIES:

None.

EFFECTIVE DATE:

Upon approval.