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# A BILL FOR AN ACT

RELATING TO SPECIAL IMPROVEMENT DISTRICTS.

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

1           SECTION 1. The legislature finds that Act 107, Session  
2 Laws of Hawaii 1999 (Act 107), authorized the counties to create  
3 special improvement districts to provide supplemental financial  
4 support to these districts for the purpose of restoring or  
5 promoting business activity. The legislature also finds that  
6 since the enactment of Act 107, the needs and demands in these  
7 districts have broadened to include the management or mitigation  
8 of environmental and other conditions that impact natural  
9 resources. More specifically, the legislature finds that Hawaii  
10 is being exposed to a variety of threats that affect its  
11 environment and ecosystems, including coastal hazards and the  
12 results of climate change, such as the increase in the frequency  
13 and severity of storms and drought, sea level rise, groundwater  
14 inundation, and coastal erosion. These threats are of  
15 particular concern to the State due to its island topography and  
16 substantial coastal exposure.



1           The purpose of this Act is to broaden the counties'  
2 authority to create special improvement districts by expanding  
3 the objective of these districts to include to include  
4 environmental protection and preservation, natural resource  
5 management, and natural hazard mitigation.

6           SECTION 2. Section 46-80.5, Hawaii Revised Statutes, is  
7 amended by amending subsection (a) to read as follows:

8           "(a) In addition and supplemental to the authority vested  
9 in the counties by sections 46-80 and 46-80.1, any county having  
10 a charter may enact an ordinance, and may amend the same from  
11 time to time, authorizing the creation of special improvement  
12 districts for the purpose of providing [~~and~~], financing  
13 [~~supplemental~~], and coordinating federal, state, and county  
14 efforts to:

15           (1) Supplemental maintenance and security services [~~and~~  
16 ~~such other~~];

17           (2) Environmental research, restoration, and maintenance;

18           (3) Natural resource management;

19           (4) Natural hazard mitigation;

20           (5) Climate change and sea level rise adaptation; and



1       (6) Other improvements, services, and facilities within  
2           the special improvement district as the council of the  
3           county determines will improve environmental  
4           conditions, provide community benefits, and restore or  
5           promote business activity in the special improvement  
6           district and the making and financing of improvements  
7           therein.

8   Each separate special improvement district shall be established  
9   by a separate ordinance enacted as provided in the ordinance  
10  authorizing the creation of special improvement districts. The  
11  ordinance authorizing the creation of special improvement  
12  districts may permit the county to provide for a board or  
13  association, established pursuant to chapter 414D, to provide  
14  management of the special improvement district, and to carry out  
15  activities as may be prescribed by the ordinance authorizing the  
16  creation of special improvement districts and the ordinance  
17  establishing the special improvement district as permitted  
18  thereby."

19       SECTION 3. This Act does not affect rights and duties that  
20  matured, penalties that were incurred, and proceedings that were  
21  begun before its effective date.



1 SECTION 4. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 5. This Act shall take effect on July 1, 2022.



**Report Title:**

Special Improvement District; Environmental Protection; County Government; Natural Resource Management

**Description:**

Expands the purpose and rationale for which counties may create special improvement districts to include environmental research, restoration, and maintenance; natural resource management; and natural hazard mitigation to improve environmental conditions and provide community benefits. Effective 7/1/2022. (SD1)

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

