

Honolulu, Hawaii

FEB 13 2023

RE: S.B. No. 336
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 336 entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

begs leave to report as follows:

The purpose and intent of this measure is to restrict counties from disapproving or imposing certain conditions on a housing development project or an emergency shelter unless the county meets certain requirements.

Your Committee received testimony in support of this measure from Hawai'i Health & Harm Reduction Center, Building Industry Association of Hawaii, and two individuals. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that Hawaii is in a dire housing crisis as housing supply is at a critically low level. Many housing development projects stall at the county level due to overregulation and government backlog. When projects are not approved, clear and thorough reasons should be provided to the applicant and the public explaining the reasons for the denial. This measure holds counties accountable to ensure that each housing project and emergency shelter is well-vetted and accurately considered, while also ensuring necessary protections for public health and safety.



Your Committee has amended this measure by:

- (1) Deleting language that would have required the county to make a written finding, based upon a preponderance of the evidence, that the county has met or exceeded any affordable housing obligation to develop vacant lots, single-family residences, multi-family residences, or any other type of residence for sale or rent to individuals with a specified income range, if a county disapproves a housing development project or emergency shelter;
- (2) Adopting the Department of the Attorney General's recommendation to clarify the three distinct instances where a county may not make a finding to disapprove or conditionally approve a housing development project or emergency shelter that is inconsistent with applicable zoning ordinances, county general plan, and state land use classifications;
- (3) Amending the definition of "housing development project" to mean a project consisting of residential units that are exclusively for residents of the State who are owner- or renter-occupants and own no other real property, or transitional housing or supporting housing; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 336, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 336, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committee on Housing,


STANLEY CHANG, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Housing
HOU

Bill / Resolution No.:* <i>SB 336</i>	Committee Referral: <i>HOU, WAM</i>	Date: <i>01/31/2023</i>
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
CHANG, Stanley (C)	✓			
KANUHA, Dru Mamo (VC)	✓			
AQUINO, Henry J.C.	✓			
RHOADS, Karl	✓			
AWA, Brenton			✓	
TOTAL	<i>4</i>		<i>1</i>	

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: *D. K. A.*

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*Only one measure per Record of Votes