

'JAN 17 2024'

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# A BILL FOR AN ACT

RELATING TO COUNTY HOUSING POWERS.

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

1           SECTION 1. Section 46-15.1, Hawaii Revised Statutes, is  
2 amended as follows:

3           1. By amending subsection (a) to read:

4           "(a) Notwithstanding any law to the contrary, any county  
5 shall have and may exercise the same powers, subject to  
6 applicable limitations, as those granted the Hawaii housing  
7 finance and development corporation pursuant to chapter 201H  
8 insofar as those powers may be reasonably construed to be  
9 exercisable by a county for the purpose of planning, developing,  
10 constructing, financing, and providing housing projects,  
11 including low- and moderate-income housing[+] and mixed-use  
12 developments; provided that no county shall be empowered to  
13 cause the State to issue general obligation bonds to finance a  
14 project pursuant to this section; provided further that county  
15 projects shall be granted an exemption from general excise or  
16 receipts taxes in the same manner as projects of the Hawaii  
17 housing finance and development corporation pursuant to section



1 201H-36; and provided further that section 201H-16 shall not  
2 apply to this section unless federal guidelines specifically  
3 provide local governments with that authorization and the  
4 authorization does not conflict with any state laws. The powers  
5 shall include the power, subject to applicable limitations, to:

- 6 (1) Develop and construct dwelling units, alone or in  
7 partnership with developers;
- 8 (2) Acquire necessary land by lease, purchase, exchange,  
9 or eminent domain;
- 10 (3) Provide assistance and aid to a public agency or other  
11 person in developing and constructing new housing and  
12 rehabilitating existing housing for elders of low- and  
13 moderate-income, other persons of low- and moderate-  
14 income, and persons displaced by any governmental  
15 action, by making long-term mortgage or interim  
16 construction loans available;
- 17 (4) Contract with [~~any~~] eligible bidders to provide for  
18 construction of urgently needed housing for persons of  
19 low- and moderate-income;
- 20 (5) Guarantee the top twenty-five per cent of the  
21 principal balance of real property mortgage loans,



- 1 plus interest thereon, made to qualified borrowers by  
2 qualified lenders;
- 3 (6) Enter into mortgage guarantee agreements with  
4 appropriate officials of any agency or instrumentality  
5 of the United States to induce those officials to  
6 commit to insure or to insure mortgages under the  
7 National Housing Act, as amended;
- 8 (7) Make a direct loan to any qualified buyer for the  
9 downpayment required by a private lender to be made by  
10 the borrower as a condition of obtaining a loan from  
11 the private lender in the purchase of residential  
12 property;
- 13 (8) Provide funds for a share, not to exceed fifty per  
14 cent, of the principal amount of a loan made to a  
15 qualified borrower by a private lender who is unable  
16 otherwise to lend the borrower sufficient funds at  
17 reasonable rates in the purchase of residential  
18 property; and
- 19 (9) Sell or lease completed dwelling units.



1 For purposes of this section, a limitation is applicable to  
2 the extent that it may reasonably be construed to apply to a  
3 county."

4 2. By amending subsections (f) and (g) to read:

5 "(f) The provisions of this section shall be construed  
6 liberally so as to effectuate the purpose of this section in  
7 facilitating the planning, development, construction, financing,  
8 and provision of housing projects, including low- and moderate-  
9 income housing and mixed-use developments, by the various  
10 counties.

11 (g) For purposes of this section~~[7]~~:

12 "~~[low]~~ Low and moderate income housing" means any housing  
13 project that meets the definition of "low- and moderate-income  
14 housing project" in section 39A-281.

15 "Mixed-use development" has the same meaning as in  
16 subsection 201H-12(a)."

17 SECTION 2. This Act does not affect rights and duties that  
18 matured, penalties that were incurred, and proceedings that were  
19 begun before its effective date.

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval;  
2 provided that the amendments made to section 46-15.1, Hawaii  
3 Revised Statutes, by section 1 of this Act shall not be repealed  
4 when that section is reenacted on July 1, 2030, pursuant to  
5 sections 2 and 3 of Act 90, Session Laws of Hawaii 2023.

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INTRODUCED BY: 



# S.B. NO. 2062

**Report Title:**

Counties; County Housing Powers; Housing and Mixed-Use  
Development Projects

**Description:**

Expands the housing powers of the counties to include the planning, development, construction, financing, and providing of housing projects, including low- and moderate-income housing and mixed-use developments.

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

