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## A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HAWAIIAN HOMELANDS.

**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 plays a critical role in addressing the  
3 longstanding housing needs of native Hawaiians through the  
4 provision of residential, agricultural, and pastoral leases as  
5 set forth in the Hawaiian Homes Commission Act, 1920, as  
6 amended.

7           The legislature further finds that, while Act 279, Session  
8 Laws of Hawaii 2022 (Act 279), marked a historic step forward by  
9 allocating \$600,000,000 to the department of Hawaiian home lands  
10 to eliminate the waitlist of applicants for residential,  
11 agricultural, or pastoral leases for trust land managed by the  
12 department, the funding addresses only six thousand seventy-five  
13 beneficiaries out of the twenty-nine thousand individuals  
14 currently on the waitlist, leaving tens of thousands still  
15 waiting for housing opportunities. The estimated cost to  
16 fulfill the entire waitlist is approximately \$6,000,000,000  
17 dollars, requiring sustained legislative action to fulfill the



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1 State's trust obligations under the Hawaiian Homes Commission  
2 Act and the Hawaii State Constitution.

3 The legislature recognizes that certain unexpended and  
4 unencumbered funds appropriated through Act 279 were deposited  
5 into the Act 279 special fund established through Act 125,  
6 Session Laws of Hawaii 2024 (Act 125), to ensure that the  
7 department of Hawaiian home lands has enough time to expend or  
8 encumber those remaining funds. However, the legislature  
9 believes that additional funding for the department of Hawaiian  
10 home lands is necessary to further the goals of Act 279 in  
11 eliminating the department's waitlist.

12 The legislature notes that this Act is introduced in  
13 response to an urgent, community-driven call to action,  
14 representing the voices of native Hawaiian beneficiaries and  
15 advocates from across the State. Initiated by grassroots  
16 organizations, community leaders, and supporters of native  
17 Hawaiian self-determination, this Act underscores the collective  
18 urgency to address the unmet housing needs of beneficiaries on  
19 the department of Hawaiian home lands' waitlist. This Act  
20 represents the will and determination of the native Hawaiian  
21 community to advocate for the resources necessary to ensure



1 housing access, economic security, and cultural revitalization  
2 for its people.

3 The legislature recognizes the investment made through this  
4 Act will result in profound benefits for the State, including:

- 5 (1) Economic growth: Funding will create jobs, boost local  
6 economies, and foster long-term financial stability  
7 for native Hawaiian families. The development of  
8 homestead communities will also spur construction,  
9 commerce, and entrepreneurship, benefitting all  
10 residents of Hawaii;
- 11 (2) Cultural revitalization: Providing native Hawaiians  
12 with access to ancestral lands strengthens cultural  
13 continuity, enabling the preservation and  
14 revitalization of cultural practices, language, and  
15 traditions for future generations;
- 16 (3) Public savings: By reducing reliance on social  
17 services and addressing homelessness among native  
18 Hawaiians, the funding from this Act will alleviate  
19 the strain on public resources and infrastructure; and
- 20 (4) Stronger communities: Stable housing promotes family  
21 stability, educational success for keiki, and



1 healthier families, building thriving communities  
2 across the State.

3 The purpose of this Act is to:

4 (1) Extend the sunset date of the Act 279 special fund  
5 until June 30, 2028;

6 (2) Deposit funds into and appropriate funds out of the  
7 Act 279 special fund to be used by the department of  
8 Hawaiian home lands to fulfill its fiduciary duties to  
9 native Hawaiians as required by the Hawaii State  
10 Constitution, Hawaiian Homes Commission Act, Act 279,  
11 and Act 125.

12 SECTION 2. Act 125, Session Laws of Hawaii 2024, is  
13 amended as follows:

14 1. By amending subsection (b) of section 2 to read:

15 "(b) Moneys in the special fund shall be used by the  
16 department of Hawaiian home lands to fulfill its fiduciary  
17 duties to beneficiaries of this Act; Act 125, Session Laws of  
18 Hawaii 2024; and Act 279, Session Laws of Hawaii 2022,  
19 including:

20 (1) Developing lots or units;

21 (2) Purchasing available land or units;



- 1           (3) Providing funding for an applicant on the waiting list  
2                   or a qualified relative of the applicant similar to  
3                   the qualified relative of a lessee as referenced in  
4                   section 208(5) of the Hawaiian Home Commission Act of  
5                   1920, as amended, who does not own a principal  
6                   residence to purchase;
- 7           (4) Providing a mortgage or rental subsidy to the  
8                   applicant on the waiting list for the applicant's  
9                   principal residence in the State;
- 10          (5) Exploring and developing opportunities to generate  
11                   additional revenue from lands the department controls  
12                   to fulfill the fiduciary duties required by this  
13                   section; and
- 14          (6) Other services as necessary to address the waiting  
15                   list."

16          2. By amending section 5 to read:

17           "SECTION 5. On June 30, [~~2026~~] 2028, the Act 279 special  
18 fund shall be abolished and any unexpended and unencumbered  
19 balance as of the close of business on June 30, [~~2026~~] 2028,  
20 shall lapse to the general fund on that date."

21          3. By amending section 8 to read:



1           "SECTION 8. This Act shall take effect on June 29, 2024;  
2 provided that:

3           (1) Section 4 shall take effect on July 1, 2024; and

4           (2) Section 2 shall be repealed on June 30, [~~2026.~~] 2028."

5           SECTION 3. The department of Hawaiian home lands shall  
6 submit a strategic plan to the legislature no later than  
7 December 10, 2025, detailing:

8           (1) The anticipated number of waitlisted beneficiaries  
9 served through the appropriation made pursuant to  
10 section 6 of this Act;

11           (2) Infrastructure and land development projects to be  
12 funded by the appropriation made pursuant to section 6  
13 of this Act; and

14           (3) Recommendations for additional measures to eliminate  
15 the waitlist entirely.

16           SECTION 4. The department of Hawaiian home lands shall  
17 submit a report to the legislature no later than twenty days  
18 prior to the convening of each regular session, beginning with  
19 the regular session of 2026, that includes:



1 (1) A detailed accounting of the expenditures from funds  
2 appropriated pursuant to this Act in the previous  
3 fiscal year;

4 (2) Progress on lot development, land acquisition, and  
5 other funded initiatives; and

6 (3) The number of beneficiaries assisted and remaining on  
7 the waiting list.

8 SECTION 5. There is appropriated out of the general  
9 revenues of the State of Hawaii the sum of \$600,000,000 or so  
10 much thereof as may be necessary for fiscal year 2025-2026 to be  
11 deposited into the Act 279 special fund established pursuant to  
12 Act 125, Session Laws of Hawaii 2024.

13 SECTION 6. There is appropriated out of the Act 279  
14 special fund the sum of \$600,000,000 or so much thereof as may  
15 be necessary for fiscal year 2025-2026 for the purposes of the  
16 special fund.

17 The sum appropriated shall be expended by the department of  
18 Hawaiian home lands for the purposes of this Act and Act 279,  
19 Session Laws of Hawaii 2022.

20 SECTION 7. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



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1 SECTION 8. This Act shall take effect on July 1, 2025, and  
2 shall be repealed on June 30, 2028.

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INTRODUCED BY:

A handwritten signature in black ink, appearing to read "Mahina P. Poeae", written over a horizontal line.

JAN 17 2025



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**Report Title:**

Department of Hawaiian Home Lands; Act 279 Special Fund;  
Reports; Appropriation

**Description:**

Extends the Act 279 Special Fund to 6/30/2028. Deposits funds into the Act 279 Special Fund and appropriates funds out of the Special Fund for the Department of Hawaiian Homelands to eliminate its waitlist. Requires the Department of Hawaiian Home Lands to submit a strategic plan detailing the anticipated uses of the funds appropriated. Requires an annual report.

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

