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# A BILL FOR AN ACT

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RELATING TO PERMITS.

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

1           SECTION 1. The legislature finds that certain land or  
2 water use activities or construction projects may require  
3 permits issued by agencies and authorities through the  
4 facilitated application process, which is overseen by the  
5 department of business, economic development, and tourism.

6           The legislature further finds that the facilitated  
7 application process can be cumbersome and subject applicants to  
8 lengthy waiting periods. The legislature additionally finds  
9 that a backlog in applications can lead to delays in housing,  
10 industrial, and commercial projects, stifling economic  
11 development in the State.

12           Accordingly, the purpose of this Act is to establish  
13 specific deadlines within the facilitated application process  
14 and require the department of business, economic development,  
15 and tourism to establish certain resources and processes to help  
16 streamline permit applications.



SECTION 2. Section 201-62, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

"(c) The procedure shall be as follows:

(1) An applicant for two or more state permits may apply in writing to the department requesting a facilitated application process for the consideration of the application. The written request shall include sufficient data about the proposed project for the department to determine which other agencies or authorities may have jurisdiction;

(2) ~~[Upon receiving]~~ Within ten days of approving a written request for the facilitated application process, the department shall notify all federal, state, and county agencies or authorities that the department determines may have jurisdiction over part or all of the proposed project, and require those state agencies or authorities and invite those county and federal agencies or authorities to participate in the facilitated application process;

(3) The applicant and each agency or authority required or agreeing to participate in the facilitated application



1 process shall designate a representative to serve on  
2 the facilitated application review team;

3 (4) Any state agency or authority designated by the  
4 department as a party to an application review that is  
5 not able to participate, shall submit an explanation,  
6 in writing, to the department as to the reasons and  
7 circumstances for noncompliance;

8 (5) The representatives of the agencies, authorities, and  
9 the applicant may develop and sign a joint agreement  
10 among themselves identifying the members of the  
11 facilitated application review team, specifying the  
12 regulatory and review responsibilities of each  
13 government agency and setting forth the  
14 responsibilities of the applicant, and establishing a  
15 timetable for regulatory review, the conduct of  
16 necessary hearings, preparation of an environmental  
17 impact statement if necessary, and other actions  
18 required to minimize duplication and coordinate the  
19 activities of the applicant, agencies, and  
20 authorities;



1       (6) ~~[Each]~~ Within ten days of receiving notification from  
2       the department, each agency or authority shall submit  
3       an estimated timeline for permit issuance or approval  
4       and issue its own permit or approval based upon this  
5       timeline and its own jurisdiction[-]; provided that  
6       the department may adjust this deadline based on the  
7       complexity of the project. The facilitated  
8       application process shall not affect or invalidate the  
9       jurisdiction or authority of any agency under existing  
10      law; and

11      (7) The applicant shall apply directly to each federal or  
12      county agency that does not participate in the  
13      facilitated application process."

14      SECTION 3. Section 201-64, Hawaii Revised Statutes, is  
15      amended to read as follows:

16      "~~[§]~~**\$201-64[§]** **Streamlining activities.** (a) The  
17      department may:

18      (1) Monitor permits on an ongoing basis to determine the  
19      source of inefficiencies, delays, and duplications and  
20      the status of permits in progress;



(2) Pursue the implementation of streamlining measures including, but not necessarily limited to, those measures defined in consultation with affected state agencies, county central coordinating agencies, and members of the public; and

(3) Design applications, checklists, and other forms essential to the implementation of approved streamlining measures in coordination with involved state and county regulatory agencies, and members of the public.

(b) The department shall establish:

(1) A single digital portal that allows applicants and agencies to upload applications, permits, and relevant documents and track the status of applications in real time;

(2) A fast-track process to expedite approval of low-impact projects;

(3) A permit by rule process that allows applications for low-impact projects to be reviewed by a licensed design professional; and



1        (4) Criteria to classify low-impact projects; provided  
2                that the criteria shall consider environmental and  
3                community impacts.

4        (c) For the purposes of this section "licensed design  
5 professional" means a professional engineer, architect,  
6 surveyor, or landscape architect licensed under chapter 464."

7        SECTION 4. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$                or so  
9 much thereof as may be necessary for fiscal year 2025-2026 and  
10 the same sum or so much thereof as may be necessary for fiscal  
11 year 2026-2027 for the establishment of two full-time equivalent  
12 (2.0 FTE) positions within the department of businesses,  
13 economic development, and tourism to establish the digital  
14 portal and other processes required by section 3 of this Act.

15        The sums appropriated shall be expended by the department  
16 of business, economic development, and tourism for the purposes  
17 of this Act.

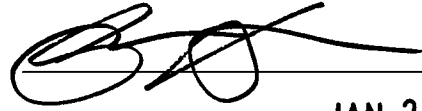
18        SECTION 5. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20        SECTION 6. This Act shall take effect on July 1, 2025.



H.B. NO. **1405**

INTRODUCED BY:

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JAN 23 2025



# H.B. NO. 1405

**Report Title:**

Permits; Facilitated Application Process; DBEDT; Positions; Appropriation

**Description:**

Establishes specific deadlines within the facilitated application process and requires the Department of Business, Economic Development, and Tourism to establish certain resources and processes to help streamline permit applications. Establishes and appropriates funds for positions within the Department of Business, Economic Development, and Tourism.

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