
A BILL FOR AN ACT

RELATING TO PUBLIC SCHOOL LAND TRANSFER.

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

1 SECTION 1. The legislature finds that Act 307, Session
2 Laws of Hawaii 2022, conveyed to the department of education fee
3 simple title to land that was used by the department of
4 education that had previously been held by the State, department
5 of land and natural resources, and the counties of Kauai and
6 Maui. Included in the land transfer was a tennis court owned by
7 the county of Kauai that is adjacent to Wilcox elementary school
8 in the county of Kauai.

9 The legislature believes that the county of Kauai is the
10 more suitable entity to own, manage, and maintain this community
11 tennis court.

12 Accordingly, the purpose of this Act is to transfer the
13 Wilcox tennis court from the department of education back to the
14 county of Kauai.

15 SECTION 2. (a) Notwithstanding any other law to the
16 contrary, the fee simple interest to land identified by tax map
17 key (4)3-6-002:010 (Wilcox elementary school) with the existing



1 improvements thereon shall be conveyed by the department of
2 education to the county of Kauai as grantee, as is.

3 (b) The department of education shall prepare, execute,
4 and record, in the land court or bureau of conveyances, as
5 appropriate, a quitclaim deed to convey the property identified
6 in subsection (a) with all existing improvements to the county
7 of Kauai as grantee. As this is a conveyance in which the
8 county of Kauai and the State and its agencies are the only
9 parties, the tax imposed by section 247-1, Hawaii Revised
10 Statutes, shall not apply.

11 (c) The county of Kauai shall accept the property in its
12 existing condition. All claims and liabilities against the
13 department of education, if any, which the county of Kauai has,
14 may have had, or may have in the future, regarding any injury,
15 loss, cost, damage, or liability, including reasonable
16 attorney's fees, concerning the physical, environmental, soil,
17 economic, and legal conditions of the conveyed property, shall
18 be released, waived, and extinguished.

19 (d) Work to initiate the conveyance of the property shall
20 commence no sooner than December 31, 2026.



1 SECTION 3. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so
3 much thereof as may be necessary for fiscal year 2025-2026 for
4 the preparation, execution, and recording of the quitclaim deed
5 required by this Act.

6 The sum appropriated shall be expended by the department of
7 education for the purposes of this Act.

8 SECTION 4. This Act shall take effect on July 1, 2025.

9

INTRODUCED BY:

2 HC

JAN 16 2025



H.B. NO. 362

Report Title:

County of Kauai; Department of Education; Land Transfer; Wilcox Elementary School; Appropriation

Description:

Requires the conveyance of a certain parcel of land from the Department of Education to the County of Kauai. Appropriates funds.

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