
A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION REVIEWS.

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

1 SECTION 1. The legislature finds that section 6E-8, Hawaii
2 Revised Statutes, plays an important role in the protection and
3 management of the State's historic properties and burial sites.
4 Section 6E-8(f), Hawaii Revised Statutes, requires the
5 department of Hawaiian home lands, before commencing any
6 proposed project relating to lands under its jurisdiction, to
7 consult with the department of land and natural resources
8 regarding the effect of the project upon historic property or a
9 burial site. The purpose of this Act is to allow the department
10 of Hawaiian home lands to review the effect of any proposed
11 project on historic properties or burial sites for lands under
12 its jurisdiction.

13 SECTION 2. Section 6E-8, Hawaii Revised Statutes, is
14 amended by amending subsection (f) to read as follows:

15 "(f) [The] Notwithstanding subsection (a), the department
16 of Hawaiian home lands [before commencing] may review the
17 effect of any proposed project relating to lands under its
18 jurisdiction[, shall consult with the department regarding the]

H.B. NO. 2307

1 effect of the project] upon historic property or a burial
2 site[.], subject to this chapter and any administrative rule
3 adopted thereunder; provided that the department of Hawaiian
4 home lands shall:

5 (1) Designate the review to a Hawaiian home lands
6 preservation officer who has professional competence
7 and experience in the field of historic preservation,
8 has institutional knowledge of the department of
9 Hawaiian home lands or the state historical
10 preservation division or both, and who has received a
11 written delegation of authority to review the effect
12 of department of Hawaiian home lands projects on
13 historic property or a burial site from the state
14 historic preservation officer, for the purposes of
15 carrying out section 6E-43 or 6E-43.6, as appropriate;
16 or hire or contract a fee for service consultant who
17 has professional competence and experience in the
18 field of historic preservation;
19 (2) Ensure that copies of all reports, maps, and
20 documents, including those reflecting the Hawaiian
21 home lands preservation officer's comments,
22 recommendations, and decisions, are provided to the

H.B. NO. 2307

1 department to be incorporated into the historic
2 preservation digital document management system and
3 library;

4 (3) Notify the department that the department of Hawaiian
5 home lands will be reviewing the effect of the project
6 when initiating review and provide the department with
7 a copy of the written concurrence or nonconcurrence at
8 the end of the review; and

9 (4) Consult with the appropriate island burial council on
10 any projects impacting a previously identified burial
11 site or if a burial site is inadvertently discovered
12 pursuant to section 6E-43 or 6E-43.6, or both, as
13 appropriate.

14 The department shall retain authority for review under this
15 section for projects affecting properties listed or nominated
16 for inclusion in the Hawaii register of historic places or the
17 national register of historic places."

18 SECTION 3. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.

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H.B. NO. 2307

1 SECTION 4. This Act, upon its approval, shall take effect
2 on July 2, 2026.

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INTRODUCED BY:

Mark K. Nelson

5

BY REQUEST

JAN 26 2026

H.B. NO. 2307

Report Title:

Historic Preservation; DHHL; Project Reviews

Description:

Allows the Department of Hawaiian Home Lands to assume historic preservation review of the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

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

H.B. NO' 2307

JUSTIFICATION SHEET

DEPARTMENT:

Hawaiian Home Lands

TITLE:

A BILL FOR AN ACT RELATING TO HISTORIC PRESERVATION REVIEWS.

PURPOSE:

To allow the Department to review the effect of any proposed project for lands under its jurisdiction except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places.

MEANS:

Amend section 6E-8(f), Hawaii Revised Statutes, as amended by Act 306, Session Laws of Hawaii 2025, effective on July 1, 2026.

JUSTIFICATION:

Instead of requiring the Department to consult with the Department of Land and Natural Resources (DLNR) regarding the effect of a project upon historic properties or burial sites, this bill would streamline the process by allowing the Department to conduct this review, which would allow for the ability to expedite the construction of proposed projects.

Impact on the public: This bill advances the interest of beneficiaries of the Hawaiian Homes Commission Act, 1920, as amended, by streamlining the review process for any proposed project on Hawaiian home lands to ensure the timely review and development of proposed projects by the Department.

Impact on the department and other agencies: DLNR would not be responsible for reviewing the effect of any proposed project for lands under the jurisdiction of the Department, except for projects affecting properties listed or nominated for inclusion in the Hawaii register of historic places or the national register of historic places. DLNR would be able to utilize resources and staff

H.B. NO. 2307

to serve other state agencies seeking review
of the effect of proposed projects.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HHL 625.

OTHER AFFECTED
AGENCIES: DLNR and agencies that seek state review of
the effect of proposed projects from DLNR.

EFFECTIVE DATE: July 2, 2026.