
A BILL FOR AN ACT

RELATING TO LIBRARIES.

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

SECTION 1. Section 302A-1120, Hawaii Revised Statutes, is amended to read as follows:

"[+]§302A-1120[+] Public library system; board control.

(a) The board, through the state librarian, shall have direct control of the public library system, but not including school libraries.

(b) The board, through the state librarian, shall have exclusive authority over the development, use, support, and improvement and maintenance of public library system facilities pursuant to section 312-1. If the land for which a board approved development or expansion of a public library system facility is controlled by the board but not exclusively under the jurisdiction of the public library system, then the board may delegate to the state librarian exclusive control of the land to effectuate the purpose of the development or expansion; provided that moneys have been appropriated by the legislature for the development or expansion project.



1 (c) The board may adopt rules under chapter 91 for the
2 purpose of this section."

3 SECTION 2. Section 302A-1506.2, Hawaii Revised Statutes,
4 is amended to read as follows:

5 "[+]§302A-1506.2[+] **Property acquisition, use, and**
6 **disposition.** (a) The department may acquire or contract to
7 acquire by grant or purchase any real, personal, or mixed
8 property or any interest therein for its immediate or future use
9 for public educational purposes, including lease revenues; and
10 own, hold, improve, and rehabilitate any real, personal, or
11 mixed property acquired, and sell, assign, exchange, transfer,
12 convey, lease, or otherwise dispose of, or encumber the same;
13 provided that the department shall incur all fees and costs
14 associated with, and for, the subdividing of the land.

15 (b) The department may by itself, or in partnership with
16 qualified persons, acquire, construct, reconstruct,
17 rehabilitate, improve, alter, or repair any infrastructure or
18 accessory facilities in connection with any project; and own,
19 hold, sell, assign, transfer, convey, exchange, lease, or
20 otherwise dispose of, or encumber any project.



1 (c) The department may lease or rent all or a portion of
2 any real property acquired for public educational purposes and
3 establish and revise the rents or charges therefor. The
4 department shall not sell any property, real or personal, or any
5 interest therein, except to a government entity.

6 (d) The department may insure or provide for the insurance
7 of its property or operations against risks as it deems
8 advisable.

9 (e) Notwithstanding any other law to the contrary, for
10 land controlled by the department that the board has vested
11 exclusive control to the state librarian pursuant to section
12 302A-1120, the department shall expeditiously cooperate with the
13 state librarian and public library system to effectuate any
14 project authorized by the board.

15 [~~(e)~~] (f) For purposes of this section:

16 "Land" or "property" includes vacant land or land with site
17 improvements, whether partially or entirely finished in
18 accordance with governmental subdivision standards, or with
19 complete dwellings.

20 "Public educational purposes" includes any use of the
21 property, including revenue generation, that would benefit the



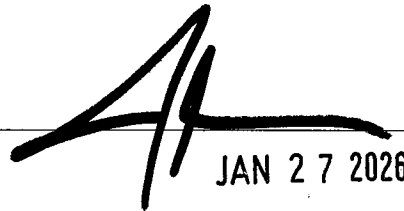
1 department's mission to provide public education to students in
2 the State.

3 "Real property" includes lands, land under water,
4 structures, and any agreed upon easements, franchises, and
5 incorporeal hereditaments and every estate and right therein,
6 legal and equitable, including terms for years and liens by way
7 of judgment, mortgage, or otherwise."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.
11

INTRODUCED BY: _____

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JAN 27 2026



H.B. NO. 2398

Report Title:

Board of Education; Hawaii State Public Library System; Public Library System Facilities; Land Use

Description:

Clarifies that the Board of Education, through the State Librarian, has exclusive authority over the development, use, support, and improvement and maintenance of public library system facilities. Authorizes the Board of Education to delegate to the State Librarian exclusive control of certain land for development or expansion purposes, subject to legislative appropriation. Requires the Department of Education to expeditiously cooperate with the State Librarian and Hawaii State Public Library System to effectuate any project authorized by the Board of Education on certain lands.

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

