

JAN 22 2026

A BILL FOR AN ACT

RELATING TO HISTORIC PRESERVATION.

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

1 SECTION 1. Section 6E-2, Hawaii Revised Statutes, is
2 amended by amending the definition of "historic property" to
3 read as follows:

4 ""Historic property" means any building, structure, object,
5 district, area, or site, including heiau and underwater site,
6 that is over fifty years old and:

7 (1) Meets [~~meets~~] the criteria for being entered into the
8 Hawaii register of historic places~~[-]~~; or

9 (2) Has important value to Native Hawaiians or other
10 ethnic groups of the State due to:

11 (A) Associations with cultural practices once carried
12 out, or still carried out, at the property; or
13 (B) Associations with traditional beliefs, events, or
14 oral accounts that are important to history,
15 traditional practices, and cultural identity."

16 SECTION 2. Section 6E-42.2, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "§6E-42.2 Excluded activities for privately-owned
2 single-family detached dwelling units and townhouses [~~,~~
3 ~~residential projects, and nominally sensitive areas~~]. (a) An
4 application for a proposed project on an existing
5 privately-owned single-family detached dwelling unit or
6 townhouse shall be subject to the requirements of section 6E-42
7 only if the single-family detached dwelling unit or townhouse is
8 over fifty years old and is:

9 (1) Listed on the Hawaii or national register of historic
10 places, or both;
11 (2) Nominated for inclusion on the Hawaii or national
12 register of historic places, or both; or
13 (3) Located in a historic district.

14 ~~(b) An application for a proposed project on an existing~~
15 ~~residential property shall be subject to the requirements of~~
16 ~~section 6E-42 only if the existing residential property is over~~
17 ~~fifty years old and is registered on the Hawaii register of~~
18 ~~historic places.~~

19 ~~(c) An application for a proposed project in a nominally~~
20 ~~sensitive area shall not be subject to the requirements of~~
21 ~~section 6E-42.]~~



1 [~~a~~] (b) For the purposes of this section:

2 "Dwelling unit" means a building or portion thereof

3 designed or used exclusively for residential occupancy and

4 having all necessary facilities for permanent residency such as

5 living, sleeping, cooking, eating, and sanitation.

6 ~~["Nominally sensitive area" means a project area that is~~

7 ~~known to include a low density of historic, cultural, or~~

8 ~~archaeological resources, or where the project area has been~~

9 ~~substantially disturbed by previous excavation or other ground-~~

10 ~~disturbing work and no significant historic properties have been~~

11 ~~previously identified.]~~

12 "Single-family detached dwelling unit" means an individual,

13 freestanding, unattached dwelling unit, typically built on a lot

14 larger than the structure itself, resulting in an area

15 surrounding the dwelling.

16 "Townhouse" has the same meaning as defined in section

17 502C-1."

18 SECTION 3. Statutory material to be repealed is bracketed

19 and stricken. New statutory material is underscored.

20



S.B. NO. 2443

1 SECTION 4. This Act shall take effect upon its approval.

2

INTRODUCED BY:

Karl Rhoade



Report Title:

Historic Preservation; Historic Property; Exclusions

Description:

Amends the definition of "historic property" to require that the property meets the criteria for inclusion in the Hawaii Register of Historic Places or has important value to Native Hawaiians or other ethnic groups of the State due to associations with cultural practices once carried out, or still carried out, at the property or associations with traditional beliefs, events, or oral accounts that are important to history, traditional practices, and cultural identity.

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