

Honolulu, Hawaii

FEB 19 , 2026

RE: H.B. No. 1738  
H.D. 1

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Madame:

Your Committees on Housing and Water & Land, to which was referred H.B. No. 1738 entitled:

"A BILL FOR AN ACT RELATING TO LAND USE DECISION-MAKING,"

beg leave to report as follows:

The purpose of this measure is to authorize the county land use decision-making authorities, instead of the Land Use Commission, to amend district boundaries up to twenty-five acres for purposes of residential housing, agricultural workforce housing, long-term rental, or workforce fee simple ownership.

Your Committees received testimony in support of this measure from the Office of Planning and Sustainable Development; Hawai'i Association of REALTORS; Hawai'i Farmers Union United; Grassroot Institute of Hawaii; Maui Chamber of Commerce; and one individual. Your Committees received testimony in opposition to this measure from one individual. Your Committees received comments on this measure from the Department of the Attorney General and Department of Agriculture and Biosecurity.

Your Committees find that the State's land use reclassification process requires even modest residential projects to undergo lengthy state-level review, creating barriers to the timely development of new homes. Your Committees further find that counties are often better positioned to evaluate smaller



housing-focused boundary amendments because they understand local planning maps, infrastructure capacity, and community growth patterns. This measure ensures that counties can efficiently approve appropriately located small-scale residential boundary amendments, which will accelerate housing production while still maintaining consistency with statewide land use policies.

Your Committees note the testimony by the Department of Agriculture and Biosecurity, requesting the removal of lands with soils classified by the Land Study Bureau's detailed land classification as overall (master) productivity rating class C from the provisions of this measure. Your Committees respectfully request your Committee on Judiciary & Hawaiian Affairs, should it deliberate on this measure, to consider addressing this concern as this measure moves through the legislative process.

Your Committees have amended this measure by:

- (1) Clarifying that district boundary amendments qualifying for county-level decision-making authority apply to land areas greater than fifteen acres but no more than twenty-five acres, rather than twenty-five acres or less;
- (2) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Housing and Water & Land that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1738, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1738, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.



Respectfully submitted on  
behalf of the members of the  
Committees on Housing and Water  
& Land,



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MARK J. HASHEM, Chair



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LUKE A. EVSLIN, Chair





