

## ACT 235

S.B. NO. 15

A Bill for an Act Relating to Land Use.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 205-4, Hawaii Revised Statutes, is amended by amending subsection (g) to read as follows:

“(g) Within a period of not more than [one hundred twenty days after the close of the hearing,] three hundred sixty-five days after the proper filing of a petition, unless otherwise ordered by a court, or unless a time extension, which shall not exceed ninety days, is established by a two-thirds vote of the members of the commission, the commission [shall], by filing findings of fact and conclusions of law, shall act to approve the petition, deny the petition, or to modify the petition by imposing conditions necessary to uphold the intent and spirit of this chapter or the policies and criteria established pursuant to section 205-17 or to assure substantial

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compliance with representations made by the petitioner in seeking a boundary change. The commission may provide by condition that absent substantial commencement of use of the land in accordance with such representations, the commission shall issue and serve upon the party bound by the condition an order to show cause why the property should not revert to its former land use classification or be changed to a more appropriate classification. Such conditions, if any, shall run with the land and be recorded in the bureau of conveyances.”

SECTION 2. The commission shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, to effectuate the purpose of this Act by December 31, 1995. Prior to the adoption of these rules, the existing rules of the commission shall remain in effect.

SECTION 3. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval; provided that section 1 of this Act shall take effect on December 31, 1995.

(Approved June 29, 1995.)