

ACT 26

S.B. NO. 2111

A Bill for an Act Relating to Affordable Housing.

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

SECTION 1. The legislature finds that the lack of affordable housing in Hawaii remains an obstacle to a significant reduction in the cost of living for many residents. A 2008 report from the affordable housing regulatory barriers task force found that one obstacle to affordable housing development is the delay caused when counties fail to affirmatively accept or reject public infrastructure improvements that are developed as part of a housing project. This delay increases the costs of the project, which in turn increases the cost of homes.

During the 2009 regular session, the legislature passed Act 142, which deemed requests for dedication of infrastructure for affordable housing as accepted if the counties did not accept or reject the request within ninety days of the filing of the request.

The purpose of this Act is to clarify the provisions of Act 142, Session Laws of Hawaii 2009, to facilitate the expeditious development of affordable housing and to shorten the time period within which counties may accept or reject requests for dedication of infrastructure for affordable housing.

SECTION 2. Section 46-15.25, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) Infrastructure for affordable housing shall be deemed dedicated to the county if the county does not accept or reject the request for dedication of infrastructure within ~~[ninety]~~ sixty days ~~[of the filing of the dedication request;]~~ of the receipt by the appropriate county council of a completed application for dedication request; provided that:

- (1) Applicable meter and connection fees and utility costs relating to the dedicated infrastructure have been paid;
- (2) The dedicated infrastructure conforms to applicable county standards in effect at the time of construction; and
- (3) The completion of the improvements comprising a dedicated infrastructure is granted approval by the county.”

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 Statutory material to be repealed is bracketed and stricken.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

SECTION 4. This Act shall take effect on July 1, 2010.

(Approved April 16, 2010.)