

ACT 64

H.B. NO. 77

A Bill for an Act Relating to Lands Controlled by the State.

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

SECTION 1. Section 171-64.7, Hawaii Revised Statutes, is amended by amending subsection (f) to read as follows:

“(f) This section shall not apply to ~~sales~~;

(1) ~~Sales~~ or gifts of lands described in subsection (a) between state departments or agencies ~~to sales~~;

(2) ~~Sales~~ of available lands under the Hawaiian Homes Commission Act ~~or to the fee~~;

(3) ~~Fee simple [sale] sales~~ of affordable homes on lands not classified as government or crown lands previous to August 15, 1895, or exchanged subsequent to August 15, 1895, for lands classified as government or crown lands previous to August 15, 1895, that are subject to resale restrictions as set forth in section 201H-47 and that

were acquired by the Hawaii housing finance and development corporation either at a foreclosure sale or under a buyback as authorized in section 201H-47[-]; or

- (4) Individual sales of the leased fee interest in a leasehold condominium unit or single family house lot to its lessee by the Hawaii housing finance and development corporation; provided that:
- (A) One of the corporation's predecessor agencies approved the sale of the leased fee interest to lessees of the condominium or development in which the unit or house lot is located no later than November 4, 1994;
 - (B) The leased fee interest in more than fifty per cent of all units in the condominium or development in which the unit or house lot is located was sold or otherwise transferred prior to July 13, 2009;
 - (C) The sale is to the lessee of record of the unit or house lot; and
 - (D) The corporation shall submit documentation to the office of Hawaiian affairs at least three months before the sale of a unit or house lot under this paragraph, with the following information:
 - (i) The specific location and size in square feet, or other precise measure, of the parcel of land to be sold;
 - (ii) The purpose for which the land is being sold;
 - (iii) A statement of whether the land is or is not land that was classed as government or crown lands prior to August 15, 1895, or was acquired by the State in exchange for such lands, and a detailed explanation of how the corporation made the determination; and
 - (iv) Sufficient documentation to validate the requirements of subparagraphs (A), (B), and (C)."

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 23, 2021.)