

ACT 117

S.B. NO. 1413

A Bill for an Act Relating to the Hawaii Public Housing Authority.

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

SECTION 1. Chapter 356D, Hawaii Revised Statutes, is amended by adding a new section to part II to be appropriately designated and to read as follows:

“§356D- Disposition of abandoned or seized property. (a) The authority may sell, donate, or otherwise dispose of property abandoned or seized in or around any federal public housing project upon compliance with the requirements of this section.

(b) The authority shall send notice by certified mail, at least five calendar days before disposition of the abandoned or seized property, to the address of the owner of the property abandoned or seized if the owner is known or can be determined. The notice shall apprise the owner of the identity and location of the property abandoned or seized and of the intent of the authority to sell, donate, or otherwise dispose of the property. If the identity or the address of the owner is unknown or cannot be determined, the notice shall be posted on the premises on which the property was abandoned or seized.

(c) If the abandoned or seized property has an estimated value of \$500 or more per item, as estimated at the discretion of the authority, the authority shall give public notice of the disposition at least once statewide or in a publication of local circulation in the county in which the property was abandoned or seized; provided that the disposition shall not take place fewer than five days after the publication date of the notice of intent to sell, donate, or otherwise dispose of the property.

(d) The sale of abandoned or seized property having an estimated value of \$500 or more per item, as estimated at the discretion of the authority, shall be by public auction through oral offers in the county in which the property was abandoned or seized. If no bid is received, the property may be sold, donated, or otherwise disposed of as the authority deems appropriate.

(e) Any person entitled to the abandoned or seized property may repossess the property before its disposition upon proof of entitlement and payment of all unpaid rent, debts, charges, and fines owed to the authority and all handling, storage, appraisal, advertising, and other expenses incurred in connection with the proposed disposition of the abandoned or seized property; provided that storage fees shall be not less than \$25 per day.

(f) The requirement of public notice and public auction pursuant to subsections (c) and (d) shall not apply when the value of the abandoned or seized property is less than \$500 per item. The property may be sold, donated, or otherwise disposed of as the authority deems appropriate.

(g) The proceeds of the sale of abandoned or seized property, after deduction of all unpaid rent, debts, charges, and fines owed to the authority, and all expenses of handling, storage, appraisal, advertising, and other expenses, shall be first offset against any amounts owed by the owner to the State. Any amount remaining shall be held in trust for the owner of the property for thirty days, after which time the proceeds shall be paid into the authority's appropriate special fund.

(h) The State and its officers, employees, and agents shall not be liable to the owner of abandoned or seized property for actions taken pursuant to this section."

SECTION 2. New statutory material is underscored.¹

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

(Approved May 29, 2025.)

Note

1. Edited pursuant to HRS §23G-16.5.