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# A BILL FOR AN ACT

RELATING TO THE HAWAIIAN HOMES COMMISSION ACT.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

- 1           SECTION 1. Section 220.5 of the Hawaiian Homes Commission  
2 Act, 1920, as amended, is amended by amending subsection (d) to  
3 read as follows:
- 4           "(d) Any project developer agreement entered into pursuant  
5 to this section may provide for options for renewal of the term  
6 of the project developer agreement; provided that:
- 7           (1) The [~~term~~] initial term and any extension thereof of  
8 any one project developer agreement shall not exceed  
9 [~~sixty-five~~] ninety-nine years[~~+~~] altogether;
- 10          (2) Any lands disposed of under a project developer  
11 agreement shall be subject to withdrawal at any time  
12 during the term of the agreement, with reasonable  
13 notice; and
- 14          (3) The rental shall be reduced in proportion to the value  
15 of the portion withdrawn and the developer shall be  
16 entitled to receive from the department the  
17 proportionate value of the developer's permanent  
18 improvements so taken in the proportion that they bear



1 to the unexpired term of the agreement, with the value  
2 of the permanent improvements determined on the basis  
3 of fair market value or depreciated value, whichever  
4 is less; or the developer, in the alternative, may  
5 remove and relocate the developer's improvements to  
6 the remainder of the lands occupied by the developer."

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 Statutory material to be repealed is bracketed  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

9 SECTION 3. This Act shall take effect on July 1, 2008.



S.B. NO. 3048  
S.D. 1  
H.D. 1

**Report Title:**

Maximum commercial lease term; Hawaiian Homes Commission Act

**Description:**

Extends the maximum term on commercial leases on Hawaiian home lands from 65 to 99 years. (SB3048 HD1)

SB3048 HD1 HMS 2008-3621

