
A BILL FOR AN ACT

RELATING TO INDIGENOUS ARCHITECTURE.

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

1 SECTION 1. The legislature finds that the homeless and
2 affordable housing crises continue to be two of the State's most
3 significant and challenging social problems. The housing crisis
4 requires government to explore alternative means of providing
5 shelter to Hawaii's residents. Indigenous native Hawaiian forms
6 of architectural practices, styles, customs, techniques, and
7 materials, as referenced in section 46-1.55, Hawaii Revised
8 Statutes, may be an option for creating housing for homeless
9 individuals, and more needs to be done to increase the inventory
10 of housing and ensure that residents have access to housing.
11 Act 222, Session Laws of Hawaii 2007, amended section 46-1.55,
12 Hawaii Revised Statutes, to require each county to adopt
13 ordinances to allow the exercise of indigenous native Hawaiian
14 architectural practices no later than March 31, 2008. Despite
15 this requirement, the legislature finds that there has been
16 little progress in the application of Hawaiian architectural
17 practices for residential use.



1 The purpose of this Act is to allow any state and county
2 agency to permit the building of indigenous architecture, under
3 certain conditions, on public and private lands under its
4 stewardship or control.

5 SECTION 2. (a) Notwithstanding any other law to the
6 contrary, any state or county agency may designate any area of
7 public and private land under its stewardship or control for the
8 construction of indigenous architecture.

9 (b) Except as provided in this subsection, indigenous
10 architecture shall be exempt from all statutes, ordinances,
11 charter provisions, and rules and regulations of any
12 governmental agency or public utility relating to planning,
13 zoning, construction standards for subdivisions, development and
14 improvement of land, and the construction and sale of homes
15 thereon; provided that indigenous architecture shall be
16 constructed under the supervision of a certified hale builder.

17 (c) As used in this section:

18 "Certified hale builder" means a person who has obtained a
19 certificate of completion for satisfactorily completing a course
20 in Hawaiian hale construction from the University of Hawaii, or
21 any of its community colleges, or has been approved to construct



1 Hawaiian haies by the appropriate building official of the
2 applicable county.

3 "Indigenous architecture" means indigenous native Hawaiian
4 architectural practices, styles, customs, techniques, and
5 materials historically employed by native Hawaiians, including
6 but not limited to structures composed of either rock wall or
7 wood frame walls covered by thatches of different native grasses
8 or other natural material for roofs.

9 SECTION 3. This Act shall take effect on July 1, 2016.
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Report Title:

Indigenous Architecture; Construction; Public and Private Lands;
Hawaiian Hale

Description:

Allows any state or county agency to designate public and private lands under certain conditions for the construction of indigenous architecture. (SD1)

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