A BILL FOR AN ACT

RELATING TO RESERVED HOUSING.

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

SECTION 1. Section 206E-4, Hawaii Revised Statutes, is amended to read as follows:

"§206E-4 Powers; generally. Except as otherwise limited by this chapter, the authority may:

(1) Sue and be sued;
(2) Have a seal and alter the same at pleasure;
(3) Make and execute contracts and all other instruments necessary or convenient for the exercise of its powers and functions under this chapter;
(4) Make and alter bylaws for its organization and internal management;
(5) Make rules with respect to its projects, operations, properties, and facilities, which rules shall be in conformance with chapter 91;
(6) Through its executive director appoint officers, agents, and employees, prescribe their duties and
qualifications, and fix their salaries, without regard to chapter 76;

(7) Prepare or cause to be prepared a community development plan for all designated community development districts;

(8) Acquire, reacquire, or contract to acquire or reacquire by grant or purchase real, personal, or mixed property or any interest therein; to own, hold, clear, improve, and rehabilitate, and to sell, assign, exchange, transfer, convey, lease, or otherwise dispose of or encumber the same;

(9) Acquire or reacquire by condemnation real, personal, or mixed property or any interest therein for public facilities, including but not limited to streets, sidewalks, parks, schools, and other public improvements;

(10) By itself, or in partnership with qualified persons, acquire, reacquire, construct, reconstruct, rehabilitate, improve, alter, or repair or provide for the construction, reconstruction, improvement, alteration, or repair of any project; own, hold, sell,
assign, transfer, convey, exchange, lease, or
otherwise dispose of or encumber any project, and in
the case of the sale of any project, accept a purchase
money mortgage in connection therewith; and repurchase
or otherwise acquire any project that the authority
has theretofore sold or otherwise conveyed,
transferred, or disposed of;

(11) Arrange or contract for the planning, replanning,
opening, grading, or closing of streets, roads,
roadways, alleys, or other places, or for the
furnishing of facilities or for the acquisition of
property or property rights or for the furnishing of
property or services in connection with a project;

(12) Grant options to purchase any project or to renew any
lease entered into by it in connection with any of its
projects, on terms and conditions as it deems
advisable;

(13) Prepare or cause to be prepared plans, specifications,
designs, and estimates of costs for the construction,
reconstruction, rehabilitation, improvement,
alteration, or repair of any project, and from time to
time to modify the plans, specifications, designs, or estimates;

(14) Provide advisory, consultative, training, and educational services, technical assistance, and advice to any person, partnership, or corporation, either public or private, to carry out the purposes of this chapter, and engage the services of consultants on a contractual basis for rendering professional and technical assistance and advice;

(15) Procure insurance against any loss in connection with its property and other assets and operations in amounts and from insurers as it deems desirable;

(16) Contract for and accept gifts or grants in any form from any public agency or from any other source;

(17) Do any and all things necessary to carry out its purposes and exercise the powers given and granted in this chapter; and

(18) Allow satisfaction of any affordable housing requirements imposed by the authority upon any proposed development project through the construction of reserved housing, as defined in section 206E-101,
by a person on land located outside the geographic
boundaries of the authority's jurisdiction[; provided
that the] The authority [may] shall not permit cash
payments in lieu of providing reserved housing. The
substituted housing shall be located on the same
island as the development project and shall be
substantially equal in value to the required reserved
housing units that were to be developed on site. The
authority shall establish the following priority in
the development of reserved housing:
(A) Within the community development district;
(B) Within areas immediately surrounding the
   community development district;
(C) Areas within the central urban core;
(D) In outlying areas within the same island as the
development project.

The Hawaii community development authority shall
adopt rules relating to the approval of reserved
housing that are developed outside of a community
development district. The rules shall include, but
are not limited to, the establishment of guidelines to ensure compliance with the above priorities."

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.

INTRODUCED BY:
Report Title:
Reserved Housing; Cash-in-Lieu Payment; HCDA

Description:
Prohibits the satisfaction of a development project's affordable housing requirement in a Community Development District through a cash payment in lieu of providing reserved housing.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.