
A BILL FOR AN ACT

RELATING TO AGRICULTURAL LANDS.

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

1 SECTION 1. The office of planning, in consultation with
2 the land use commission, the real estate commission, and the
3 department of planning and permitting of the city and county of
4 Honolulu shall study the land subdivision and condominium
5 property regime laws as they relate to agricultural land on Oahu
6 and how these laws interact with city and county of Honolulu
7 zoning ordinances, to:

8 (1) Determine whether they contain potential ambiguities,
9 omissions, or other deficiencies through which a
10 landowner might develop land contrary to the
11 legislative intent of those laws; and

12 (2) Propose legislation to remedy any deficiencies found.

13 SECTION 2. In conducting its research for the study
14 required in section 1, the office of planning shall conduct a
15 public hearing to gather information from the general public.

16 SECTION 3. The office of planning shall submit a report of
17 its findings and recommendations, including any proposed



1 legislation, to the legislature no later than twenty days prior
2 to the regular session of 2021.

3 SECTION 4. Section 514B-6, Hawaii Revised Statutes, is
4 amended to read as follows:

5 "[+]§514B-6[+] Supplemental county rules governing a
6 condominium property regime. [~~Whenever any county deems it~~
7 ~~proper, the county may]~~ No later than July 1, 2022, the counties
8 shall adopt supplemental rules governing condominium property
9 regimes, including agricultural lands that are held in
10 condominium property regimes, established under this chapter in
11 order to implement this program; provided that any of the
12 supplemental rules adopted shall not conflict with this chapter
13 or with any of the rules adopted by the commission to implement
14 this chapter."

15 SECTION 5. If any provision of this Act, or the
16 application thereof to any person or circumstance, is held
17 invalid, the invalidity does not affect other provisions or
18 applications of the Act that can be given effect without the
19 invalid provision or application, and to this end the provisions
20 of this Act are severable.



1 SECTION 6. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

3 SECTION 7. This Act shall take effect upon its approval.

4



Report Title:

Condominium Property Regimes; Agricultural Land; Study; County Supplemental Rules

Description:

Directs the Office of Planning, Land Use Commission, Real Estate Commission, and Honolulu Department of Planning and Permitting to study land subdivision and condominium property regime laws related to agricultural land and report findings and recommendations to the Legislature. Requires the counties to adopt supplemental rules on condominium property regimes, including those that involve agricultural lands. (CD1)

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