BILL NO. 111
(DRAFT 4)ORDINANCE NO. 22 26

AN ORDINANCE AMENDING CHAPTER 19, ARTICLE 11, SECTION 19-90, OF THE HAWAI'I COUNTY CODE 1983 (2016 EDITION, AS AMENDED), RELATING TO REAL PROPERTY TAXES.

BE IT ORDAINED BY THE COUNCIL OF THE COUNTY OF HAWAI'I:

SECTION 1. Chapter 19, article 11, section 19-90, of the Hawai'i County Code 1983 (2016 Edition, as amended), is amended by amending subsection (f) to read as follows:

“(f) Residential tax rate tiers.

- (1) Notwithstanding any provision to the contrary, the council shall establish a separate tax rate each for the residential tier one property and residential tier two property, as defined below. The tax rates shall be applied as follows:
 - (A) The tax rate established for the residential tier one property shall be applied to the net taxable real property value under \$2,000,000.
 - (B) The tax rate established for the residential tier two property shall be applied to the net taxable real property value of \$2,000,000 or more.
- (2) For the purposes of this section, “residential tier one property” shall mean all property, or portions thereof, other than a residential tier two property, within the residential class. “Residential tier two property” shall mean a property, or portion thereof, which:
 - (A) Is improved with one or more dwelling units, has a net taxable real property value of \$2,000,000 or more, does not have a home exemption, and is classified as residential in consideration of the highest and best use of the land;
 - (B) Is vacant land that has a net taxable real property value of \$2,000,000 or more, and is classified as residential in consideration of the highest and best use of the land; or
 - (C) Is a condominium property regime that has a net taxable real property value of \$2,000,000 or more, does not have a home exemption, and is classified as residential in consideration of the highest and best use of the land.


- (3) The respective tax rate to be applied to any property within the residential class shall be applied only to the portion used exclusively as residential, provided the highest and best use of the land is residential.
- (4) No less than seventy-five percent of the revenue collected annually pursuant to this subsection, calculated as the difference in revenue from the residential tier one property tax rate to the residential tier two property tax rate, shall be appropriated each fiscal year to County-sponsored programs designed to address housing and homelessness. This requirement shall not extend beyond June 30, 2027, unless otherwise amended by ordinance.

SECTION 2. New material is underscored. In printing this ordinance, the underscoring need not be included.

SECTION 3. Severability. If any provision of this ordinance, or the application thereof to any person or circumstance, is held invalid, the invalidity does not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall take effect on July 1, 2022.

INTRODUCED BY:



COUNCIL MEMBER, COUNTY OF HAWAI'I

 Hilo , Hawai'i
Date of Introduction: February 23, 2022
Date of 1st Reading: February 23, 2022
Date of 2nd Reading: March 9, 2022
Effective Date: July 1, 2022

REFERENCE Comm. 589.10

OFFICE OF THE COUNTY CLERK
 County of Hawai'i
 Hilo, Hawai'i

COUNTY CLERK
 COUNTY OF HAWAII

2022 MAR 24 PM 1: 52

(Draft 3)

Introduced By: Aaron S.Y. Chung
 Date Introduced: February 23, 2022
 First Reading: February 23, 2022
 Published: March 4, 2022

REMARKS: _____

Second Reading: March 9, 2022
 To Mayor: March 17, 2022
 Returned: March 24, 2022
 Effective: July 1, 2022
 Published: April 8, 2022

REMARKS: _____

| ROLL CALL VOTE | | | | |
|-----------------------|------|------|-----|----|
| | AYES | NOES | ABS | EX |
| Chung | X | | | |
| David | X | | | |
| Inaba | X | | | |
| Kāneali'i-Kleinfelder | X | | | |
| Kierkiewicz | X | | | |
| Kimball | X | | | |
| Lee Loy | X | | | |
| Richards | X | | | |
| Villegas | X | | | |
| | 9 | 0 | 0 | 0 |

(Draft 4)

| ROLL CALL VOTE | | | | |
|-----------------------|------|------|-----|----|
| | AYES | NOES | ABS | EX |
| Chung | X | | | |
| David | X | | | |
| Inaba | X | | | |
| Kāneali'i-Kleinfelder | X | | | |
| Kierkiewicz | X | | | |
| Kimball | X | | | |
| Lee Loy | | | X | |
| Richards | X | | | |
| Villegas | | | X | |
| | 7 | 0 | 2 | 0 |

I DO HEREBY CERTIFY that the foregoing BILL was adopted by the County Council published as indicated above.



COUNCIL CHAIRPERSON



COUNTY CLERK

~~Approved~~ Disapproved this 23rd day
 of March, 2022.



MAYOR, COUNTY OF HAWAII

Bill No.: 111 (Draft 4)
 Reference: C-589.10/FC-105
 Ord No.: 22 26