
A BILL FOR AN ACT

RELATING TO HOUSING.

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

1 PART I

2 SECTION 1. The legislature finds that homelessness
3 continues to be one of the State's most significant and
4 challenging social problems. The legislature further finds that
5 according to a recent report, fourteen thousand two hundred
6 individuals who are homeless were served through shelter and
7 outreach programs in fiscal year 2011. Of these individuals,
8 9,781 resided in the city and county of Honolulu. The
9 legislature also finds that homeless service providers estimate
10 that six thousand homeless people in the State need shelter each
11 night.

12 The legislature additionally finds that homelessness is a
13 complex issue that requires continuous resources and coordinated
14 efforts at all levels. The legislature also finds that persons
15 experiencing homelessness face a myriad of issues, including
16 mental illness, substance abuse, loss of employment and income,
17 and a lack of affordable housing. Appropriate funding for



1 programs and services tailored to address these issues is
2 essential.

3 The purpose of this part is to better assist individuals
4 facing or experiencing homelessness by funding various homeless
5 and housing programs.

6 SECTION 2. There is appropriated out of the general
7 revenues of the State of Hawaii the sum of \$ or so
8 much thereof as may be necessary for fiscal year 2013-2014 and
9 the same sum or so much thereof as may be necessary for fiscal
10 year 2014-2015 for the homeless programs office of the
11 department of human services to assist families experiencing and
12 at risk of experiencing homelessness with housing placement and
13 employment services.

14 The sums appropriated shall be expended by the department
15 of human services for the purposes of this part.

16 SECTION 3. There is appropriated out of the general
17 revenues of the State of Hawaii the sum of \$ or so
18 much thereof as may be necessary for fiscal year 2013-2014 and
19 the same sum or so much thereof as may be necessary for fiscal
20 year 2014-2015 for clean and sober housing support services to
21 be administered by the alcohol and drug abuse division of the
22 department of health.



1 (5) Providing program participants with leases and tenant
2 protections as provided by law.

3 The housing first programs in the State closely resemble
4 the requirements of the United States Housing and Urban
5 Development shelter plus care program and the Veterans
6 Administration veteran's assisted supportive housing voucher
7 program for homeless veterans. In its December 2011 report to
8 the legislature pursuant to section 346-378, Hawaii Revised
9 Statutes, the department of human services reported that the
10 State has six hundred fifty-eight permanent housing placements
11 plus support services through the shelter plus care and
12 veteran's assisted supportive housing voucher programs.

13 The purpose of this part is to appropriate funds to the
14 department of human services to support the State's housing
15 first programs in assisting Hawaii's chronically homeless who
16 are often the most vulnerable, most visible, and most difficult
17 to serve.

18 SECTION 5. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2013-2014 and
21 the same sum or so much thereof as may be necessary for fiscal
22 year 2014-2015 to be deposited to the credit of the housing

1 first special fund established under section 346-377, Hawaii
2 Revised Statutes, for the department of human services to
3 continue to administer housing first programs for chronically
4 homeless individuals in the State.

5 SECTION 6. There is appropriated out of the housing first
6 special fund the sum of \$ or so much thereof as may be
7 necessary for fiscal year 2013-2014 and the same sum or so much
8 thereof as may be necessary for fiscal year 2014-2015 for the
9 department of human services to continue to administer housing
10 first programs for chronically homeless individuals in the
11 State.

12 The sums appropriated shall be expended by the department
13 of human services for the purposes of this part.

14 PART III

15 SECTION 7. The shelter plus care program of the United
16 States Department of Housing and Urban Development provides
17 rental assistance in connection with supportive services. The
18 program provides a variety of permanent housing choices,
19 accompanied by a range of supportive services funded through
20 other sources. The program assists hard-to-serve homeless
21 individuals with disabilities and their families. These
22 individuals primarily include those with serious mental illness,



1 chronic problems with alcohol and drugs, and HIV, AIDS, or
2 related diseases.

3 There are four components to the shelter plus care program:
4 single room occupancy component – moderate rehabilitation for
5 single-room occupancy dwellings; sponsor-based rental assistance
6 component; project-based rental assistance component; and
7 tenant-based rental assistance component. Under all components,
8 supportive services must be available to meet the needs of
9 participants. Similar to many other federal programs, the
10 shelter plus care program has a match requirement. Applicants
11 must match the aggregate amount of shelter plus care rental
12 assistance with supportive services. This ensures that
13 appropriate and timely services will be available to meet the
14 needs of individual participants.

15 The purpose of this part is to provide matching funds for
16 the shelter plus care program.

17 SECTION 8. There is appropriated out of the general
18 revenues of the State of Hawaii the sum of \$ or so much
19 thereof as may be necessary for fiscal year 2013-2014 and the
20 same sum or so much thereof as may be necessary for fiscal year
21 2014-2015 for matching funds for the shelter plus care program



1 of the United States Department of Housing and Urban
2 Development.

3 The sums appropriated shall be expended by the department
4 of human services for the purposes of this part.

5 PART IV

6 SECTION 9. The legislature finds that many homeless
7 persons are known to thrive better when they have ready access
8 to familiar support groups or family members. The intent of the
9 return-to-home program is to ensure that those individuals who
10 find themselves homeless in the islands are able to reconnect
11 with support networks ready and able to receive them.

12 The purpose of this part is to establish a return-to-home
13 program for eligible homeless individuals.

14 SECTION 10. Chapter 346, Hawaii Revised Statutes, is
15 amended by adding two new sections to part XVII to be
16 appropriately designated and to read as follows:

17 "§346-A Return-to-home program. (a) There is established
18 within the department, a voluntary homeless assistance program
19 to be known as the return-to-home program to provide eligible
20 homeless individuals with assistance in being reunited with
21 family and relatives in the individual's home state. The
22 department shall contract with eligible non-profit



1 organizations, for profit organizations, and foundations to
2 administer the program.

3 (b) No individual who is homeless shall be eligible to
4 participate in the return-to-home program unless:

5 (1) The individual's participation is completely
6 voluntary;

7 (2) The individual, if on parole, probation, or awaiting a
8 court hearing or sentencing, has proper clearance from
9 the court to participate in the program; and

10 (3) The individual is indigent and lacks the financial
11 resources necessary to secure transportation to return
12 to the individual's home state.

13 (c) An individual may participate in the return-to-home
14 program only once and shall sign an agreement to this effect
15 before participating in the program. The agreement shall be
16 kept on file with the program.

17 (d) The program shall actively seek the participation of
18 local airlines, cruise lines, charter companies, homeless
19 programs, travel agencies, and the visitor industry to
20 coordinate and implement the return-to-home program.

21 (e) The program shall assist return-to-home program
22 participants with necessary and proper preparations for travel,



1 including obtaining proper identification, accessing public
2 transportation to the airport, providing orientation relating to
3 airport security, and ensuring sufficient personal hygiene.

4 **§346-B Return-to-home special fund.** (a) There is
5 established in the state treasury the return-to-home special
6 fund, into which shall be deposited:

- 7 (1) Appropriations by the legislature to the special fund;
- 8 and
- 9 (2) Gifts, donations, and grants from public agencies,
- 10 non-profit organizations, for profit organizations,
- 11 foundations, and private persons.

12 Each county may provide matching funds, which shall also be
13 deposited into the return to home special fund.

14 (b) Moneys in the return-to-home special fund shall be
15 administered and expended by the department of human services
16 and shall be used to provide return-to-home programs and
17 services."

18 SECTION 11. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$ or so
20 much thereof as may be necessary for fiscal year 2013-2014 and
21 the same sum or so much thereof as may be necessary for fiscal
22 year 2014-2015 to be deposited to the credit of the return-to-

1 home special fund established pursuant to section 346-B, Hawaii
2 Revised Statutes.

3 SECTION 12. There is appropriated out of the return-to-
4 home special fund the sum of \$ or so much thereof as
5 may be necessary for fiscal year 2013-2014 and the same sum or
6 so much thereof as may be necessary for fiscal year 2014-2015
7 for implementation of the return-to-home program, including all
8 program costs and hiring of necessary staff.

9 The sums appropriated shall be expended by the department
10 of human services for the purposes of this part.

11 PART V

12 SECTION 13. The legislature finds that homelessness
13 continues to be one of the State's most significant and
14 challenging social problems. The number of homeless persons in
15 the State, estimated to be approximately six thousand on any
16 given day, is indicative of the limited shelter space available.

17 The legislature further finds that new and innovative
18 solutions are needed to address the homelessness crisis.
19 Oregon, for example, has adopted laws that authorize political
20 subdivisions to allow religious institutions to offer overnight
21 camping space for homeless persons living in vehicles.
22 Similarly, Santa Barbara, California, has instituted a program

1 that allows private organizations to use county-owned parking
2 lots to provide overnight sleeping space for homeless persons
3 with vehicles.

4 The purpose of this part is to authorize the department of
5 human services, in consultation with the counties, the Hawaii
6 community development authority, and public or private homeless
7 assistance programs, to develop temporary nighttime parking lots
8 to provide safe overnight locations for homeless persons who
9 would otherwise sleep in their vehicles parked on private or
10 public roads or property. It is the legislature's intent that
11 this program supplement existing policies and initiatives
12 regarding the State's homeless population.

13 SECTION 14. Section 346-375, Hawaii Revised Statutes, is
14 amended to read as follows:

15 " ~~[+]§346-375[+]~~ **Temporary emergency shelter~~[-]~~; temporary**
16 **nighttime parking lots.** (a) In addition to any other duties
17 prescribed by law, the department shall develop, in consultation
18 with the four counties, a procedure for identifying locations
19 that shall be used for temporary emergency shelters for homeless
20 individuals and families. The department shall actively partner
21 with and monitor the efforts of the counties.



1 (b) Each county shall be responsible for partnering with
2 nonprofit organizations to locate, designate, and maintain the
3 areas that shall be used for temporary emergency shelters. The
4 designated locations may include private, county, state, and
5 federal lands.

6 (c) The department, in consultation with the mayor of the
7 applicable county, the Hawaii community development corporation,
8 and any interested public or private homeless assistance
9 programs, may designate in each county temporary nighttime
10 parking lots that will be used to provide safe overnight parking
11 for homeless individuals who live and sleep in their motor
12 vehicles and who would otherwise park overnight on public or
13 private roads or property. To accommodate regular public
14 parking daily from 6:00 a.m. to 7:00 p.m., nighttime parking for
15 homeless persons at these designated parking lots shall be
16 allowed daily from 7:00 p.m. to not later than 6:00 a.m. the
17 next day. The department shall adopt rules in accordance with
18 chapter 91 to implement this subsection, including rules:

- 19 (1) Setting forth procedures to screen potential homeless
20 individuals; and
- 21 (2) Prohibiting alcohol or drug use by individuals using
22 temporary nighttime parking lots."



1 SECTION 15. There is appropriated out of the general
2 revenues of the State of Hawaii the sum of \$ or so much
3 thereof as may be necessary for fiscal year 2013-2014 for the
4 designation of temporary nighttime parking lots to provide safe
5 overnight locations for homeless individuals who live and sleep
6 in their motor vehicles and who would otherwise park overnight
7 on public or private roads or property.

8 The sum appropriated shall be expended by the department of
9 human services for the purposes of this part.

10 PART VI

11 SECTION 16. The legislature finds that in spite of efforts
12 by government and nonprofit organizations to provide overnight
13 shelter to homeless persons, many do not use homeless shelters
14 due to mental illness, drug addiction, an inability to conform
15 to shelter rules, or other reasons. There are still many
16 homeless persons who sleep in public parks, along sidewalks, and
17 other similar areas, which creates a concern for the State's
18 vital visitor industry.

19 The purpose of this part is to appropriate funds to
20 establish two types of safe haven programs, one with durational
21 restrictions and one without, for persons who are homeless,



1 using designated surplus or available open or vacant locations
2 owned by the State.

3 SECTION 17. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$ or so much
5 thereof as may be necessary for fiscal year 2013-2014 and the
6 same sum or so much thereof as may be necessary for fiscal year
7 2014-2015 to establish safe havens with durational restrictions
8 for persons who are homeless, using surplus or available open or
9 vacant locations; provided that the funds shall be used for safe
10 haven facilities and uses including:

- 11 (1) Providing pavilions with open walls and overhead
12 shelter;
 - 13 (2) Providing showers and toilets;
 - 14 (3) Providing potable water;
 - 15 (4) Providing coin-operated clothes washing machines and
16 clothes drying machines;
 - 17 (5) Providing lockers;
 - 18 (6) Providing personnel for minimum security; and
 - 19 (7) Maintaining the locations designated to serve as safe
20 havens for persons who are homeless;
- 21 provided further that camping at safe haven sites shall be
22 permitted only at night and each homeless person shall be



1 permitted to have a limited amount of possessions and a maximum
2 of one pet, as determined to be appropriate by the department of
3 human services. The department of human services shall adopt
4 rules pursuant to chapter 91 for purposes of implementing this
5 part.

6 The sums appropriated shall be expended by the department
7 of human services for the purposes of this part.

8 SECTION 18. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2013-2014 and the
11 same sum or so much thereof as may be necessary for fiscal year
12 2014-2015 to establish safe havens without durational
13 restrictions for persons who are homeless, using surplus or
14 available open or vacant locations; provided that the funds
15 shall be used for safe haven facilities and uses including:

- 16 (1) Providing pavilions with open walls and overhead
17 shelter;
- 18 (2) Providing showers and toilets;
- 19 (3) Providing potable water;
- 20 (4) Providing coin-operated clothes washing machines and
21 clothes drying machines;
- 22 (5) Providing lockers;



Report Title:

Homelessness; Housing; Return-to-Home; Temporary Night-time
Parking Lots; Safe Haven Program; Appropriation

Description:

Appropriates unspecified funds to the Department of Human Services, rental housing trust fund, the department of health, Hawaii Public Housing Authority, Shelter Plus Care Program for housing and supportive services for homeless individuals and families. Establishes the Return-to-Home program and special fund. Establishes nighttime parking lots for homeless persons. Establishes camping locations for homeless persons. Effective July 1, 2050. (SB515 HD1)

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

