

FEB 27 2014

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE PROBABLE EFFECTS OF
LICENSING AND REGULATING CLEAN AND SOBER HOMES.

1 WHEREAS, clean and sober homes and halfway houses, which
2 are located in communities throughout the State, provide housing
3 for those suffering from substance abuse, including those who
4 may have mental health issues, as they transition from the
5 treatment setting to life in the community; and
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7 WHEREAS, the primary goals of rehabilitation and recovery
8 are to restore social, family, lifestyle, vocational, and
9 economic support by stabilizing an individual's physical and
10 psychological functioning; and
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12 WHEREAS, alcohol- and drug-free environments that are safe,
13 sanitary, and secure promote recovery and assist individuals in
14 becoming self-supporting; and
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16 WHEREAS, clean and sober homes provide a means for a person
17 to return to the community through support in an alcohol- and
18 drug-free, home-like environment, without the rigid structure of
19 a therapeutic living program; and
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21 WHEREAS, the support of a home environment fulfills a need
22 for those who are reintegrating into the community while
23 maintaining sobriety; and
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25 WHEREAS, notwithstanding the needs of those who benefit
26 from these homes, neighboring residents have expressed concerns
27 over the location and legality of the operation of such homes in
28 their immediate vicinity, and the lack of neighborly behavior of
29 some residents; and
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31 WHEREAS, while the State's only halfway house is monitored
32 by the agencies that contract for its services, the level of



1 oversight for clean and sober homes varies, depending on the
2 referral source; and

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4 WHEREAS, while some clean and sober homes are well-run,
5 others are overcrowded and not well managed; and

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7 WHEREAS, in response to legislation introduced in 2012, the
8 Director of Health convened a clean and sober homes and halfway
9 houses task force to develop a plan to ensure that these homes
10 are properly monitored and accountable for meeting occupancy,
11 zoning, and permitting requirements, and quality standards; and

12
13 WHEREAS, S.B. No. 2587 (Regular Session of 2014) mandates
14 licensing and regulatory controls for clean and sober homes by
15 implementing the recommendations of the task force and providing
16 individuals with access to an alcohol- and drug-free, home-like
17 living environment in residences that are in compliance with
18 county, state, and federal requirements and minimum quality
19 standards by:

- 20
21 (1) Establishing a registry for clean and sober homes
22 within the Department of Health;
23
24 (2) Aligning functions of state and county jurisdictions
25 and ensuring compliance with federal law; and
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27 (3) Excluding clean and sober homes from the residential
28 landlord-tenant code; and
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30 WHEREAS, the Legislature believes that the licensing and
31 regulation of clean and sober homes, as provided in S.B. No.
32 2587 (Regular Session of 2014), will substantially improve
33 standards for clean and sober homes and halfway houses, while
34 balancing the needs of those requiring the support of the group
35 homes and the concerns of community members; and

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37 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
38 new regulatory measures that would subject unregulated
39 professions and vocations to licensing or other regulatory
40 controls to be referred by concurrent resolution to the Auditor
41 for analysis; now, therefore,

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43 BE IT RESOLVED by the Senate of the Twenty-seventh
44 Legislature of the State of Hawaii, Regular Session of 2014, the



S.C.R. NO. 48

1 House of Representatives concurring, that the Auditor is
 2 requested to conduct an analysis pursuant to section 26H-6,
 3 Hawaii Revised Statutes, of the probable effects of licensing
 4 and regulating clean and sober homes as proposed in S.B. No.
 5 2587 (Regular Session of 2014); and

6
 7 BE IT FURTHER RESOLVED that the Auditor is requested to
 8 submit findings and recommendations, including any necessary
 9 implementing legislation, to the Legislature no later than
 10 twenty days prior to the convening of the Regular Session of
 11 2015; and

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 13 BE IT FURTHER RESOLVED that certified copies of this
 14 Concurrent Resolution be transmitted to the Auditor and Director
 15 of Health.

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OFFERED BY: *Jul M*