A BILL FOR AN ACT

RELATING TO THE REGISTRY OF CLEAN AND SOBER HOMES.

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

SECTION 1. Section 321-193.7, Hawaii Revised Statutes, is amended to read as follows:

"[§]§321-193.7[+] Clean and sober homes registry. (a) The department shall establish a voluntary clean and sober homes registry to assist persons recovering from substance abuse to have a safe, clean, and sober environment that supports their recovery. The department shall establish procedures and standards by which homes will be allowed to be listed on the registry, including but not limited to:

(1) Organizational and administrative standards;
(2) Fiscal management standards;
(3) Operation standards;
(4) Recovery support standards;
(5) Property standards; and
(6) Good neighbor standards."
(b) Upon review and approval of a home operator's application, the department shall issue a certificate of registration that shall specify:

1. The name of the holder of the registration;
2. The address to which the registration applies;
3. The maximum number of persons to reside in the home; and
4. The period for which the registration shall be valid.

An owner, operator, or landlord shall not hold the property out to be or advertise to be a "registered clean and sober home" unless the home is registered and in good standing with the clean and sober homes registry.

(c) The certificate of registration shall be publicly displayed at the home.

(d) The certificate of registration shall not be transferred to a new owner or operator, or to an address other than as specified on the certificate of registration.

(e) Nothing in this section shall relieve a certificate holder from compliance with other pertinent statutory provisions, nor shall a certificate holder be relieved from
compliance with other applicable provisions of federal, state, or county laws, ordinances, or rules.

(f) The department may revoke the certificate of registration if a home ceases to meet established standards or any other applicable federal, state, or county law, ordinance, or rule.

(g) The department may immediately revoke a certificate of registration if there are reasonable grounds to believe that the continued operation of the home presents an immediate danger to residents of the home or the general public.

(h) Any revocation of the certificate of registration shall be made in writing to the certificate holder.

(i) The department shall maintain a listing of all registered clean and sober homes on its website.

(j) The department shall establish a toll-free telephone number to receive complaints regarding clean and sober homes.

(k) This section shall not be construed to abrogate an individual's right to privacy. Unless otherwise provided by law, the department shall implement sufficient protections to ensure that the identity of a clean and sober home resident
remains confidential and that information collected pursuant to this section is used solely for the purposes of this section.

(1) The department shall adopt rules under chapter 91 as necessary to carry out the purposes of this section.

(m) The department, its employees, agents, and volunteers shall be immune from liability for operating the clean and sober homes registry in good faith under this chapter."

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: [Signature]
Report Title:
Registry of Clean and Sober Homes; Immunity; Liability

Description:
Provides immunity from liability to DOH, its employees, agents, and volunteers for operating the clean and sober homes registry.

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