

JAN 23 2015

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:

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

3 "**[+]§321-193.7[+]** **Clean and sober homes registry.** (a)

4 The department shall establish a voluntary clean and sober homes
5 registry to assist persons recovering from substance abuse to
6 have a safe, clean, and sober environment that supports their
7 recovery. The department shall establish procedures and
8 standards by which homes will be allowed to be listed on the
9 registry, including but not limited to:

- 10 (1) Organizational and administrative standards;
11 (2) Fiscal management standards;
12 (3) Operation standards;
13 (4) Recovery support standards;
14 (5) Property standards; and
15 (6) Good neighbor standards.



1 (b) Upon review and approval of a home operator's
2 application, the department shall issue a certificate of
3 registration that shall specify:

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

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

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

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

18 (e) Nothing in this section shall relieve a certificate
19 holder from compliance with other pertinent statutory
20 provisions, nor shall a certificate holder be relieved from



1 compliance with other applicable provisions of federal, state,
2 or county laws, ordinances, or rules.

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

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

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

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

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

17 (k) This section shall not be construed to abrogate an
18 individual's right to privacy. Unless otherwise provided by
19 law, the department shall implement sufficient protections to
20 ensure that the identity of a clean and sober home resident



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1 remains confidential and that information collected pursuant to
2 this section is used solely for the purposes of this section.

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

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

8 SECTION 2. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

Will Evers
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S.B. NO. 668

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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