

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO TEACHER RENTAL HOUSING.

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

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PART I

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SECTION 1. The legislature finds that there is a severe  
3 shortage of qualified teachers in public-school classrooms  
4 throughout the State. Each year, the department of education  
5 looks for approximately one thousand two hundred teachers to  
6 fill vacancies. For the 2018-2019 school year, there were one  
7 thousand twenty-nine vacancies throughout the State, up from one  
8 thousand eleven during the 2017-2018 school year, and nine  
9 hundred twenty during the 2016-2017 school year. While there  
10 are teachers to fill all public-school classrooms, approximately  
11 six hundred of those classrooms are staffed by long-term  
12 substitutes, rather than full-time teachers.

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The legislature further finds that the high cost of living  
and a lack of affordable housing in Hawaii are some of the  
factors contributing to teachers leaving the profession or  
leaving the State entirely. According to the Employment Report  
published by the department of education, in the 2017-2018



1 school year, 51.8 per cent of teachers who resigned cited  
2 "leaving Hawaii" as their primary reason for resigning, while  
3 fourteen per cent resigned for a non-teaching or non-education  
4 related job.

5 The high cost of living in Hawaii coupled with a lack of  
6 affordable housing makes recruiting and retaining qualified  
7 teachers one of the most pressing matters of the State.

8 Providing financial incentives such as affordable housing for  
9 teachers is a means for the department of education and public  
10 charter schools to recruit and retain qualified teachers by  
11 lessening the financial burden many teachers are experiencing in  
12 the State.

13 The purpose of this Act is to:

14 (1) Authorize the Hawaii public housing authority and  
15 Hawaii housing finance and development corporation to  
16 provide affordable rental housing for teachers  
17 employed by the department of education and public  
18 charter schools;

19 (2) Authorize the Hawaii housing finance and development  
20 corporation to contract or sponsor with any state or  
21 county agency for the aforementioned housing;



- 1 (3) Appropriate funds for the Hawaii public housing
- 2 authority;
- 3 (4) Appropriate funds out of the dwelling unit revolving
- 4 fund for the development of rental housing for
- 5 teachers;
- 6 (5) Require the department of education to lease land and
- 7 contract with private entities for the development,
- 8 management, maintenance, or revitalization of teacher
- 9 housing; and
- 10 (6) Permit the private owners to lease teacher housing to
- 11 other eligible tenants under certain circumstances.

12 PART II

13 SECTION 2. Section 356D-42, Hawaii Revised Statutes, is

14 amended by amending subsection (a) to read as follows:

15 "(a) The authority shall select tenants upon the basis of

16 those in greatest need for the particular housing, subject to

17 the following limitations and preferences:

- 18 (1) The authority may limit the tenants of any state low-
- 19 income housing project to classes of persons when
- 20 required by federal law or regulation as a term or
- 21 condition of obtaining assistance from the federal



1 government; provided that not less than fifty per cent  
2 of available units shall be for applicants without  
3 preference and up to fifty per cent of available units  
4 shall be for applicants with preference;

5 (2) Within the priorities established by the authority  
6 recognizing need, veterans with a permanent disability  
7 of ten per cent or more, as certified by the United  
8 States Department of Veterans Affairs, and their  
9 dependent parents, if any. The deceased veteran's  
10 widow or widower shall be given first preference.

11 Parents of veterans shall not use the veteran status  
12 of their adult child as a basis for preference; [and]

13 (3) The authority may provide rental housing for teachers  
14 employed by the department of education and public  
15 charter schools; and

16 [~~3~~] (4) Subject to any limitations set by federal law or  
17 regulation, the authority shall not select as a  
18 tenant, and may terminate the tenancy of, any person  
19 if the person or any household member owns or acquires  
20 a home within the State."



1 SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$10,000,000 or so  
3 much thereof as may be necessary for fiscal year 2021-2022 and  
4 the same sum or so much thereof as may be necessary for fiscal  
5 year 2022-2023 for purposes of this Act.

6 The sums appropriated shall be expended by the Hawaii  
7 public housing authority for the purposes of this Act.

8 PART III

9 SECTION 4. Section 201H-12, Hawaii Revised Statutes, is  
10 amended as follows:

11 1. By amending subsection (a) to read:

12 "(a) The corporation, in its own behalf or on behalf of  
13 any federal, state, or county agency, may:

14 (1) Clear, improve, and rehabilitate property;

15 (2) Plan, develop, construct, and finance housing  
16 projects, including mixed-use developments; and

17 (3) In cooperation with any state or county department or  
18 agency, including the department of education and  
19 department of accounting and general services, plan  
20 facilities and rental housing projects for teachers  
21 employed by the department of education and public



1           charter schools and related infrastructure as an  
2           integral part of its housing projects, including  
3           mixed-use developments, using all its innovative  
4           powers toward achieving that end expeditiously and  
5           economically; provided that facilities developed in  
6           cooperation with the department of education comply  
7           with the department of education's educational  
8           objectives and requirements.

9   For purposes of this subsection, "mixed-use developments" means  
10 a development that contains affordable residential dwelling  
11 units that may be combined with governmental, educational,  
12 commercial, cultural, institutional, or industrial uses; is  
13 approved by the county in which the project is located; and is  
14 subject to: chapter 104; title 40 United States Code sections  
15 3141, 3142, 3143, 3144, 3146, and 3147; or a project labor  
16 agreement by law or contract in the construction of the  
17 project."

18           2. By amending subsection (e) to read:

19           "(e) The corporation may contract or sponsor with any  
20 [~~county,~~] state or county department or agency, housing  
21 authority, or person, subject to the availability of funds, an



1 experimental or demonstration housing project designed to meet  
2 the needs of elders; the disabled; displaced or homeless  
3 persons; low- and moderate-income persons; teachers or other  
4 government employees; or university and college students and  
5 faculty."

6 SECTION 5. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$10,000,000 or so  
8 much thereof as may be necessary for fiscal year 2021-2022 and  
9 the same sum or so much thereof as may be necessary for fiscal  
10 year 2022-2023 to be deposited into the dwelling unit revolving  
11 fund.

12 SECTION 6. There is appropriated out of the dwelling unit  
13 revolving fund the sum of \$10,000,000 or so much thereof as may  
14 be necessary for fiscal year 2021-2022 and the same sum or so  
15 much thereof as may be necessary for fiscal year 2022-2023 for  
16 the development of rental housing for teachers; provided that if  
17 the department of education does not identify and approve land  
18 for the development of rental housing for teachers by  
19 December 31, 2021, the sum appropriated may be expended for the  
20 purposes of section 201H-191, Hawaii Revised Statutes.



1 The sums appropriated shall be expended by the Hawaii  
2 housing finance and development corporation for the purposes of  
3 this Act.

4 PART IV

5 SECTION 7. Chapter 302A, Hawaii Revised Statutes, is  
6 amended by adding a new section to subpart E of part III to be  
7 appropriately designated and to read as follows:

8 "§302A- Teachers' housing; leasing and occupancy; rules.

9 (a) The department shall lease land and contract with private  
10 entities for the development, management, maintenance, or  
11 revitalization of housing for teachers employed by the  
12 department or public charter schools as necessary to effectuate  
13 this subpart.

14 (b) If the occupancy of teacher housing units by teachers  
15 falls below ninety-five per cent of total units in a project,  
16 the project owner may rent the available units to eligible non-  
17 teacher tenants.

18 (c) The department shall adopt rules pursuant to  
19 chapter 91 for the purposes of this section.







# S.B. NO. 004

**Report Title:**

HPHA; Hawaii Housing Finance and Development Corporation; DOE; Public Charter Schools; Teacher Housing; Appropriations

**Description:**

Authorizes the Hawaii Public Housing Authority and Hawaii Housing Finance and Development Corporation to provide rental housing projects for teachers employed by the Department of Education and public charter schools. Appropriates funds for the Hawaii Public Housing Authority. Appropriates funds for deposit into the dwelling unit revolving fund. Requires the Department of Education to lease land and contract with private entities for the development, management, maintenance, or revitalization of teacher housing. Permits a project owner to lease teacher housing to other eligible tenants if occupancy of teacher housing falls below 95 per cent.

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

