
A BILL FOR AN ACT

RELATING TO THE HOMELESS.

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

1 SECTION 1. The legislature finds that many homeless
2 persons may be stranded in the state. They may be separated from
3 family in their home state but lack independent financial
4 resources to reunite with those family members. Adopting a
5 return-to-home program would address this pressing social issue.
6 There are similar return-to-home programs in other
7 jurisdictions. New York City, for example, adopted a return-to-
8 home program for those people who were identified as homeless
9 for over one year.

10 The purpose of this Act is to establish a return-to-home
11 program for the homeless.

12 SECTION 2. Chapter 356D, Hawaii Revised Statutes, is
13 amended by adding a new part to be appropriately designated and
14 to read as follows:

15 **"PART . RETURN-TO-HOME PROGRAM**

16 **§356D- Return-to-home program.** (a) There is
17 established within the authority a voluntary homeless assistance
18 program to be known as the return-to-home program, to provide



1 eligible homeless persons with assistance in being reunited with
2 their families and relatives in the person's home state. The
3 authority shall adopt rules pursuant to chapter 91 to carry out
4 the purpose of this part.

5 (b) No person who is homeless shall be eligible to
6 participate in the program unless:

- 7 (1) The person's participation is completely voluntary;
- 8 (2) The person has a support system in place in the
9 person's home state that is willing to receive and
10 accommodate the person;
- 11 (3) The person, if on parole, probation, or awaiting a
12 court hearing or sentencing, has proper clearance from
13 the court to participate in the program;
- 14 (4) The person is indigent and lacks the financial
15 resources necessary to secure transportation to return
16 to the person's home state; and
- 17 (5) The person has been determined by the authority to be
18 homeless for over one year.

19 (c) The authority shall actively seek the participation of
20 homeless programs and businesses associated with the tourism
21 industry to implement and coordinate the program.



1 (d) In funding a program participant's return to the
2 participant's home state, the authority shall engage the program
3 participant's support system for contributions.

4 (e) The authority shall also assist the program
5 participant with necessary and proper preparations for the
6 return trip, including proper identification, orientation
7 relating to airport security, and the basics of personal care.

8 The authority shall follow up with each program participant
9 within one month of the program participant's return to the
10 participant's home state to assess the effort toward successful
11 reunification with their families and relatives."

12 SECTION 3. Chapter 46, Hawaii Revised Statutes, is amended
13 by adding a new section to be appropriately designated and to
14 read as follows:

15 "§46- Parks for homeless special fund. (a) There is
16 established in the state treasury the parks for homeless special
17 fund, into which shall be deposited the designated portion of
18 the conveyance tax under section 247-7.

19 Each county shall be required to provide matching funds,
20 which shall be deposited into the parks for homeless special
21 fund.



1 (b) Moneys in the parks for homeless special fund shall be
2 administered by the finance department of any county that
3 receives funds under this section and shall be used to provide
4 programs to support the homeless."

5 SECTION 4. Section 247-2, Hawaii Revised Statutes, is
6 amended to read as follows:

7 "**§247-2 Basis and rate of tax.** The tax imposed by section
8 247-1 shall be based on the actual and full consideration
9 (whether cash or otherwise, including any promise, act,
10 forbearance, property interest, value, gain, advantage, benefit,
11 or profit), paid or to be paid for all transfers or conveyance
12 of realty or any interest therein, that shall include any liens
13 or encumbrances thereon at the time of sale, lease, sublease,
14 assignment, transfer, or conveyance, and shall be at the
15 following rates:

16 (1) Except as provided in paragraph (2):

17 (A) [~~Ten~~] 10 cents per \$100 for properties with a
18 value of less than \$600,000;

19 (B) [~~Twenty~~] 20 cents per \$100 for properties with a
20 value of at least \$600,000, but less than
21 \$1,000,000;



- 1 (C) [~~Thirty~~] 30 cents per \$100 for properties with a
2 value of at least \$1,000,000, but less than
3 [~~\$2,000,000,~~] \$1,200,000;
- 4 (D) 34.5 cents per \$100 for properties with a value
5 of at least \$1,200,000, but less than \$2,000,000;
- 6 [~~(D) Fifty~~] (E) 57.5 cents per \$100 for properties
7 with a value of at least \$2,000,000, but less
8 than \$4,000,000;
- 9 [~~(E) Seventy~~] (F) 80.5 cents per \$100 for properties
10 with a value of at least \$4,000,000, but less
11 than \$6,000,000;
- 12 [~~(F) Ninety~~] (G) \$1 and 3.5 cents per \$100 for
13 properties with a value of at least \$6,000,000,
14 but less than \$10,000,000; and
- 15 [~~(G) One-dollar~~] (H) \$1 and 15 cents per \$100 for
16 properties with a value of \$10,000,000 or
17 greater; and
- 18 (2) For the sale of a condominium or single family
19 residence for which the purchaser is ineligible for a
20 county homeowner's exemption on property tax:
- 21 (A) [~~Fifteen~~] 15 cents per \$100 for properties with a
22 value of less than \$600,000;



- 1 (B) [~~Twenty-five~~] 25 cents per \$100 for properties
2 with a value of at least \$600,000, but less than
3 \$1,000,000;
- 4 (C) [~~Forty~~] 40 cents per \$100 for properties with a
5 value of at least \$1,000,000, but less than
6 [~~\$2,000,000,~~] \$1,200,000;
- 7 (D) 46 cents per \$100 for properties with a value of
8 at least \$1,200,000, but less than \$2,000,000;
- 9 [~~(D) Sixty~~] (E) 69 cents per \$100 for properties with
10 a value of at least \$2,000,000, but less than
11 \$4,000,000;
- 12 [~~(E) Eighty-five~~] (F) 97.75 cents per \$100 for
13 properties with a value of at least \$4,000,000,
14 but less than \$6,000,000;
- 15 [~~(F) One dollar and ten~~] (G) \$1 and 26.5 cents per
16 \$100 for properties with a value of at least
17 \$6,000,000, but less than \$10,000,000; and
- 18 [~~(G) One dollar and twenty-five~~] (H) \$1 and 43.75
19 cents per \$100 for properties with a value of
20 \$10,000,000 or greater,
- 21 of such actual and full consideration; provided that in the case
22 of a lease or sublease, this chapter shall apply only to a lease



1 or sublease whose full unexpired term is for a period of five
 2 years or more, and in those cases, including (where appropriate)
 3 those cases where the lease has been extended or amended, the
 4 tax in this chapter shall be based on the cash value of the
 5 lease rentals discounted to present day value and capitalized at
 6 the rate of six per cent, plus the actual and full consideration
 7 paid or to be paid for any and all improvements, if any, that
 8 shall include on-site as well as off-site improvements,
 9 applicable to the leased premises; and provided further that the
 10 tax imposed for each transaction shall be not less than \$1."

11 SECTION 5. Section 247-7, Hawaii Revised Statutes, is
 12 amended to read as follows:

13 "**§247-7 Disposition of taxes.** All taxes collected under
 14 this chapter shall be paid into the state treasury to the credit
 15 of the general fund of the State, to be used and expended for
 16 the purposes for which the general fund was created and exists
 17 by law; provided that ten per cent of all taxes collected under
 18 section 247-2(1)(D) to (H) and (2)(D) to (H) shall be deposited
 19 into the parks for homeless special fund under section 46- ;
 20 and provided further that of the remaining taxes collected each
 21 fiscal year:



- 1 (1) Ten per cent shall be paid into the land conservation
2 fund established pursuant to section 173A-5;
- 3 (2) Twenty-five per cent from July 1, 2009, until June 30,
4 2012, and thirty per cent in each fiscal year
5 thereafter shall be paid into the rental housing trust
6 fund established by section 201H-202; and
- 7 (3) Twenty per cent from July 1, 2009, until June 30,
8 2012, and twenty-five per cent in each fiscal year
9 thereafter shall be paid into the natural area reserve
10 fund established by section 195-9; provided that the
11 funds paid into the natural area reserve fund shall be
12 annually disbursed by the department of land and
13 natural resources in the following priority:
 - 14 (A) To natural area partnership and forest
15 stewardship programs after joint consultation
16 with the forest stewardship committee and the
17 natural area reserves system commission;
 - 18 (B) Projects undertaken in accordance with watershed
19 management plans pursuant to section 171-58 or
20 watershed management plans negotiated with
21 private landowners, and management of the natural



1 area reserves system pursuant to section 195-3;
2 and
3 (C) The youth conservation corps established under
4 chapter 193."

5 SECTION 6. There is appropriated out of the parks for
6 homeless special fund the sum of \$100,000 or so much thereof as
7 may be necessary for fiscal year 2010-2011 for implementing the
8 costs of the return-to-home program, including program costs and
9 the hiring of necessary staff.

10 The sum appropriated shall be expended by the Hawaii public
11 housing authority for the purposes of this Act.

12 SECTION 7. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 8. This Act shall take effect on July 1, 2010.



Report Title:

Homeless; Return-to-Home; Conveyance Tax; Appropriation

Description:

Assists the homeless in reuniting with their families. Creates the parks for homeless special fund. Increases the conveyance tax by fifteen percent on homes valued at \$1,200,000 and more to be deposited into the parks for homeless special fund (HB2280 HD1)

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

