
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. Section 356D-8, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " [†] §356D-8 [†] **Acquisition, use, and disposition of**
4 **property.** (a) The authority may acquire any real or personal
5 property or interest therein by purchase, exchange, gift, grant,
6 lease, or other means from any person or government to provide
7 public housing. Exchange of real property shall be in
8 accordance with section 171-50.

9 (b) The authority may own or hold real property. All real
10 property owned or held by the authority shall be exempt from
11 mechanics' or materialmen's liens and also from levy and sale by
12 virtue of an execution, and no execution or other judicial
13 process shall issue against the property of the authority nor
14 shall any judgment against the authority be a charge or lien
15 upon its real property; provided that this subsection shall not
16 apply to nor limit the right of obligees to foreclose or
17 otherwise enforce any mortgage of the authority or the right of
18 obligees to pursue any remedies for the enforcement of any



1 pledge or lien given by the authority on its rents, fees, or
2 revenues. The authority and its property shall be exempt from
3 all taxes and assessments.

4 (c) The authority may lease or rent all or a portion of
5 any public housing project and establish and revise the rents or
6 charges therefor[-]; provided that the authority shall not
7 charge less than \$250 per month for any state public housing
8 unit and no less than \$50 per month to tenants in units covered
9 by the United States Department of Housing and Urban
10 Development. The authority may sell, exchange, transfer,
11 assign, or pledge any property, real or personal, or any
12 interest therein to any person or government.

13 (d) The authority may insure or provide for the insurance
14 of its property or operations against risks as it deems
15 advisable.

16 (e) The authority shall seek reimbursement from tenants
17 for the full cost incurred in repairing damages to a tenants
18 unit.

19 (f) The minimum rent set forth in subsection (c) shall not
20 apply whenever its application will disqualify the authority
21 from receiving federal funds or aid."



1 SECTION 2. Section 356D-42, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[+] §356D-42 [+] **Housing; tenant selection.** (a) Subject
4 to the following limitations and preferences, the authority
5 shall select tenants [~~upon the basis of those in greatest need~~]
6 for the particular housing. The authority may limit the tenants
7 of any state low-income housing project to classes of persons
8 when required by federal law or regulation as a term or
9 condition of obtaining assistance from the federal government.
10 [~~Within the priorities established by the authority recognizing~~
11 ~~need, veterans~~] Veterans with a permanent disability of ten per
12 cent or more as certified by the United States Department of
13 Veterans Affairs, the dependent parents of the veteran, and the
14 deceased veteran's widow shall be given first preference.

15 (b) The authority shall not establish preferences for the
16 selection of tenants."

17 SECTION 3. Section 356D-43, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:

19 "(a) Notwithstanding any other law to the contrary, the
20 authority shall fix the rates of the rentals for dwelling units
21 and other facilities in state low-income housing projects
22 provided for by this subpart, at rates that will produce



1 revenues that will be sufficient to pay all expenses of
 2 management, operation, and maintenance, including the cost of
 3 insurance, a proportionate share of the administrative expenses
 4 of the authority to be fixed by it, and the costs of repairs,
 5 equipment, and improvements, to the end that the state low-
 6 income housing projects shall be and always remain self-
 7 supporting[-]; provided that the rates of the rentals shall be
 8 no less than the minimum rent set forth in section 356D-8. The
 9 authority, in its discretion, may fix the rates in amounts as
 10 will produce additional revenues (in addition to the foregoing)
 11 sufficient to amortize the cost of the state low-income housing
 12 project or projects, including equipment, over a period or
 13 periods of time that the authority may deem advisable."

14 SECTION 4. Statutory material to be repealed is bracketed
 15 and stricken. New statutory material is underscored.

16 SECTION 5. This Act shall take effect upon its approval.

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Report Title:

Public Housing; Minimum Rent; Preferences

Description:

Requires the Hawaii public housing authority to establish a minimum rent of \$250 per month for all state public housing units. Prohibits the Hawaii public housing authority from establishing preferences for tenant selection.

