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# A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

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

1           SECTION 1. The legislature finds that in spite of efforts  
2 by governments and nonprofit organizations to provide overnight  
3 shelter to homeless persons, many do not use homeless shelters  
4 due to mental illness, drug addiction, an inability to conform  
5 to shelter rules, or other reasons. There are still many  
6 homeless persons who sleep in public parks, along sidewalks, and  
7 other similar areas, which creates a concern for the State's  
8 vital visitor industry.

9           The purpose of this Act is to establish a special fund to  
10 create new parks or designate existing parks for use by homeless  
11 persons.

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           .    PARKS FOR HOMELESS IMPACT FEE.**

16           **"§356D-A Parks for homeless special fund.** (a) There is  
17 established in the state treasury, the parks for homeless  
18 special fund to be administered by the authority, into which



1 shall be deposited transfers of county impact fees assessed  
2 under this part and under part VIII of chapter 46 for the  
3 purposes of this part.

4 (b) Moneys in the parks for homeless special fund shall be  
5 used to establish new parks or designate existing parks for  
6 maintenance and use by homeless persons. The parks for homeless  
7 persons shall:

8 (1) Provide pavilions with open walls and shelter over  
9 head;

10 (2) Provide showers and toilets;

11 (3) Provide potable water;

12 (4) Provide coin-operated clothes washing machines and  
13 clothes drying machines;

14 (5) Allow camping at night only; and

15 (6) Allow homeless persons to bring in a limited amount of  
16 possessions and a maximum of one pet as appropriate.

17 **§356D-B Authority to assess impact fees.** (a) In addition  
18 to any other impact fees that may apply, the counties shall  
19 assess, impose, levy, collect, and transfer to the authority  
20 impact fees for any development pursuant to ordinances adopted  
21 under section 46-142 and this part, and the authority is



1 authorized to receive those funds for deposit into the parks for  
2 homeless special fund.

3 (b) The assessment of impact fees shall be in the amount  
4 of five per cent of the cost of the development and shall not  
5 apply to the development of single, duplex, or multi-family  
6 housing units that are priced under \$700,000.

7 **§356D-C Refund of impact fees.** Upon the request of the  
8 county, the department shall refund any impact fees transferred  
9 to the parks for homeless special fund that have not been  
10 expended or encumbered for the purposes of this part within ten  
11 years after the collection under part VIII of chapter 46."

12 SECTION 3. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15 SECTION 4. This Act shall apply to any grading or building  
16 permit issued after its effective date.

17 SECTION 5. In codifying the new sections added by section  
18 2 of this Act, the revisor of statutes shall substitute  
19 appropriate section numbers for the letters used in designating  
20 the new sections in this Act.



1 SECTION 6. This Act shall take effect upon its approval.

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**Report Title:**

Housing; Homeless Parks; Special Fund; Building Permit Surcharge

**Description:**

Establishes a surcharge for the application of a building permit for a residence with a valuation in excess of \$700,000, to be deposited into a parks for homeless special fund for the purpose of developing parks for homeless persons.

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

