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# A BILL FOR AN ACT

RELATING TO GROUP LIVING FACILITIES.

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

1           SECTION 1. Section 46-4, Hawaii Revised Statutes, is  
2 amended by amending subsection (d) to read as follows:  
3           "(d) Neither this section nor any other law, county  
4 ordinance, or rule shall prohibit group living in facilities  
5 with eight or fewer residents and that are licensed by the State  
6 as provided for under section 321-15.6, or in an intermediate  
7 care facility/mental retardation-community for persons,  
8 including mentally ill, elder, disabled, developmentally  
9 disabled, or totally disabled persons, who are not related to  
10 the home operator or facility staff; provided that those group  
11 living facilities meet all applicable county requirements not  
12 inconsistent with the intent of this subsection and including  
13 building height, setback, maximum lot coverage, parking, and  
14 floor area requirements[-]; provided further that a conditional  
15 use permit issued by a county agency for the operation of a  
16 group living facility shall:  
17           (1) Automatically terminate if the group living facility  
18           ceases operations; or



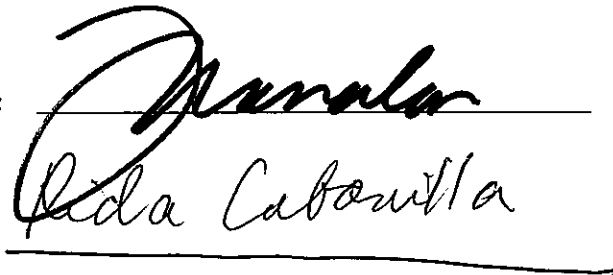
1       (2) Automatically expire one year from the date of the  
2           issuance of the permit if the group living facility  
3           fails to commence operations before the end of that  
4           one-year period,  
5           whichever occurs sooner."

6       SECTION 2. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

  
Rida Cabanilla

JAN 26 2011



**Report Title:**

Termination of Permits; Group Homes

**Description:**

Terminates permits issued by a county agency to facilities intended for group living, or group homes, that do not use the permits.

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

