
A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1 SECTION 1. Chapter 356D, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:

4 "§356D- Prohibition on smoking in public housing project
5 common areas. (a) Smoking shall be prohibited in enclosed or
6 partially enclosed common areas of any public housing project,
7 as defined in section 356D-1, or state low-income housing
8 project, as defined in section 356D-51.

9 (b) For purposes of this section:

10 "Common areas" means those portions of the land, building,
11 and all appurtenances and easements that are available for use
12 by all tenants or as designated by the authority as a common
13 area.

14 "Smoking" means inhaling or exhaling the fumes of tobacco
15 or any other plant material or burning or carrying any lighted
16 smoking equipment for tobacco or any other plant material."

17 SECTION 2. Section 356D-92, Hawaii Revised Statutes, is
18 amended by amending subsection (a) to read as follows:



1 "(a) Except as otherwise provided, the authority may
2 terminate any lease, rental agreement, permit, or license
3 covering the use and occupation of any dwelling unit or other
4 premises located within a public housing project and evict from
5 any premises any tenant, licensee, or other occupant for any of
6 the following reasons:

7 (1) Failure to pay rent when due;

8 (2) Violation of any of the provisions of a lease, rental
9 agreement, permit, or license;

10 (3) Violation of any of the rules of the authority;

11 (4) Failure to maintain the dwelling unit in a clean,
12 sanitary, and habitable condition; [~~or~~]

13 (5) Upon a third violation of section 356D- ; provided
14 that a violation by a non-resident who is visiting a
15 resident shall be deemed a violation by the resident
16 only if the resident is within twenty feet of the
17 visitor at the time of the violation; or

18 [+5+] (6) The existence of any other circumstances giving
19 rise to an immediate right to possession by the
20 authority."



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

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 Statutory material to be repealed is bracketed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

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



Report Title:

Public Housing; Smoking Prohibited

Description:

Prohibits smoking in enclosed or partially enclosed common areas of public housing projects. (HB46 HD1)

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

