

JAN 26 2011

A BILL FOR AN ACT

RELATING TO PUBLIC ASSISTANCE.

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

1 SECTION 1. Section 346-29, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) No applicant or recipient who is found guilty of
4 fraudulently misrepresenting residence to obtain assistance in
5 two or more states shall be entitled to public assistance under
6 this chapter for ten years from date of conviction. No
7 applicant or recipient shall be entitled to public assistance
8 under this chapter who is a resident of the State for less than
9 one year, or who is a fugitive felon or who is in violation of a
10 condition of probation or parole or has sufficient income or
11 other resources to provide a standard above that provided in
12 this chapter, or who is an inmate of any public institution,
13 except that any inmate of a public institution who is otherwise
14 eligible for medical assistance and who has been determined by
15 the medical director of the institution as having a major
16 illness or medical condition requiring the provision of medical
17 care outside of the institution may receive assistance under
18 this chapter. An inmate of a public institution or resident of



1 a medical institution may apply for assistance to begin after
2 the inmate's discharge from the institution. To enforce this
3 subsection, the department shall examine each list of inmates
4 within, or newly admitted to, a correctional facility in the
5 State that is submitted to the department by the director of
6 public safety pursuant to section 353-12.5, regardless of the
7 nature of the offense for which an inmate is incarcerated or the
8 duration of incarceration, to determine whether an inmate is
9 eligible for public assistance under this chapter.

10 For the purposes of this section, "resident" means a person
11 who is physically present in the State at the time the person
12 claims to have established the person's domicile in the State
13 and shows the person's intent is to make Hawaii the person's
14 primary residence."

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

17 "[+]§356D-42[+] **Housing; tenant selection.** Subject to the
18 following limitations and preferences, the authority shall
19 select tenants upon the basis of those in greatest need for the
20 particular housing[-]; provided that the authority shall not
21 select as a tenant any applicant who has not been a resident for
22 at least one year. The authority may limit the tenants of any



1 state low-income housing project to classes of persons when
2 required by federal law or regulation as a term or condition of
3 obtaining assistance from the federal government. Within the
4 priorities established by the authority recognizing need,
5 veterans with a permanent disability of ten per cent or more as
6 certified by the United States Department of Veterans Affairs,
7 the dependent parents of the veteran, and the deceased veteran's
8 widow shall be given first preference.

9 For the purposes of this section, "resident" means a person
10 who is physically present in the State at the time the person
11 claims to have established the person's domicile in the State
12 and shows the person's intent is to make Hawaii the person's
13 primary residence."

14 SECTION 3. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.
17

INTRODUCED BY: Carol Johnson

Erzanne Chun Cabland



Report Title:

Public Assistance; Residency Requirement

Description:

Requires an applicant or recipient of public assistance to be a resident of the State for at least one year.

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

