

Honolulu, Hawaii

Feb 1, 2012

RE: H.B. No. 1885
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Housing, to which was referred H.B. No. 1885 entitled:

"A BILL FOR AN ACT RELATING TO PUBLIC HOUSING,"

begs leave to report as follows:

The purpose of this measure is to improve the conditions of public housing in the State by requiring mandatory drug testing as a condition of obtaining or continuing occupancy in federal and state low-income housing units; provided that mandatory drug testing requirements shall not apply to dependent children of a tenant or applicant of federal or state low-income housing, if the child is under the age of 18.

The Mestizo Association and two individuals supported this measure. Another individual testified in support of the intent of this measure. The Hawaii Public Housing Authority, American Civil Liberties Union of Hawaii, Drug Policy Forum of Hawaii, Imua Alliance, the Hawaii State Commission on the Status of Women, and an individual opposed this measure.

Your Committee notes that the waiting list for public housing is extensive, and the State has absorbed more than \$800,000 in unpaid rent from government-subsidized public housing residents. It is your Committee's intent that this measure serve as a means to enhance safety in public housing projects and strengthen accountability from tenants and applicants who are selected for public housing.

HB1885 HD1 HSCR HSG HMS 2012-1449



Upon consideration, your Committee has amended this measure
by:

- (1) Specifying that the mandatory drug testing program applies to applicants who are selected for federal or state low-income housing, rather than to all applicants;
- (2) Specifying that drug testing of tenants of federal or state low-income housing shall be at random and shall be conducted on no more than 50 percent of the tenants in a housing project per year; and
- (3) Excluding the following individuals from mandatory drug testing as a condition of obtaining, or continuing occupancy in, federal and state low-income housing:
 - (A) Any tenant or applicant who is 55 years of age or older;
 - (B) Any tenant or applicant who is handicapped; and
 - (C) Any dependent of a tenant or applicant, if the dependent is under the age of 15.

Your Committee has also made technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1885, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1885, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Housing,



RIDA T.R. CABANILLA, Chair



