



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

June 27, 2013

**GOV. MSG. NO. 1325**

The Honorable Donna Mercado Kim,  
President  
and Members of the Senate  
Twenty-Seventh State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Seventh State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 27, 2013, the following bill was signed into law:

SB515 SD2 HD1 CD1

RELATING TO HOUSING  
**ACT 222 (13)**

*Neil Abercrombie*  
NEIL ABERCROMBIE  
Governor, State of Hawaii

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# A BILL FOR AN ACT

RELATING TO HOUSING.

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

**PART I**

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SECTION 1. The legislature finds that homelessness continues to be one of the State's most significant and challenging social problems. The legislature further finds that according to a recent report, fourteen thousand two hundred homeless individuals were served through shelter and outreach programs in fiscal year 2011. Of these individuals, nine thousand seven hundred eighty-one resided in the city and county of Honolulu. The legislature also finds that homeless service providers estimate that six thousand homeless people in the State need shelter each night.

The legislature additionally finds that homelessness is a complex issue that requires continuous resources and coordinated efforts at all levels. The legislature also finds that homeless persons face a myriad of issues, including mental illness, substance abuse, loss of employment and income, and a lack of affordable housing. Appropriate funding for programs and services tailored to address these issues is essential.



1 The purpose of this part is to better assist individuals  
2 facing or experiencing homelessness by funding various homeless  
3 and housing programs.

4 SECTION 2. There is appropriated out of the general  
5 revenues of the State of Hawaii the sum of \$300,000 or so much  
6 thereof as may be necessary for fiscal year 2013-2014 for  
7 substance abuse treatment and mental health support services for  
8 individuals who are homeless or at risk of becoming homeless.

9 The sums appropriated shall be expended by the department  
10 of health for the purposes of this part.

11 SECTION 3. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$200,000 or so much  
13 thereof as may be necessary for fiscal year 2013-2014 for clean  
14 and sober housing support services to be administered by the  
15 alcohol and drug abuse division of the department of health.

16 The sums appropriated shall be expended by the department  
17 of health for the purposes of this part.

18 **PART II**

19 SECTION 4. There is appropriated out of the general  
20 revenues of the State of Hawaii the sum of \$1,000,000 or so much  
21 thereof as may be necessary for fiscal year 2013-2014 for a  
22 rental assistance program, also known as a shallow subsidy



1 program, for homeless working individuals and their families who  
2 are ready to rent permanent housing to obtain and maintain  
3 permanent housing; provided that:

4 (1) The maximum subsidy shall be \$300 per month; provided  
5 that in order to qualify for the subsidy, a household  
6 shall pay a minimum of forty per cent of their  
7 adjusted gross income for rent; and

8 (2) A household's adjusted gross income shall be  
9 calculated in the same manner as calculated by the  
10 Hawaii public housing authority to qualify for public  
11 housing under the authority's control.

12 The sums appropriated for program and administrative costs  
13 associated with establishing and operating the shallow subsidy  
14 program shall be expended by the department of human services  
15 through a contract issued pursuant to chapter 103F, Hawaii  
16 Revised Statutes, and sums appropriated for staff within the  
17 homeless programs office to administer the program shall be  
18 expended by the department of human services for the purposes of  
19 this part.

20 **PART III**

21 SECTION 5. The legislature finds that housing first  
22 programs are a collaborative effort between the department of



1 human services and the United States Department of Housing and  
2 Urban Development that provides housing and support services for  
3 chronically homeless individuals, including those who have an  
4 addiction or mental illness, or both. The principles of housing  
5 first programs include:

- 6 (1) Moving chronically homeless individuals into housing  
7 directly from streets and the shelters without a  
8 precondition of accepting or complying with treatment;
- 9 (2) Providing robust support services for program  
10 participants that are predicated on assertive  
11 engagement rather than coercion;
- 12 (3) Granting chronically homeless individuals priority as  
13 program participants in housing first programs;
- 14 (4) Embracing a harm-reduction approach to addictions  
15 rather than mandating abstinence while supporting  
16 program participant commitments to recovery; and
- 17 (5) Providing program participants with leases and tenant  
18 protections as provided by law.

19 The housing first programs in the State closely resemble  
20 the requirements of the United States Housing and Urban  
21 Development shelter plus care program and the Veterans  
22 Administration veteran's assisted supportive housing voucher



1 program for homeless veterans. In its December 2011 report to  
2 the legislature pursuant to section 346-378, Hawaii Revised  
3 Statutes, the department of human services reported that the  
4 State has six hundred fifty-eight permanent housing placements  
5 plus support services through the shelter plus care and  
6 veteran's assisted supportive housing voucher programs.

7 The purpose of this part is to appropriate funds to the  
8 department of human services to support the State's housing  
9 first programs in assisting Hawaii's chronically homeless who  
10 are often the most vulnerable, most visible, and most difficult  
11 to serve.

12 SECTION 6. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$750,000 or so much  
14 thereof as may be necessary for fiscal year 2013-2014 to be  
15 deposited to the credit of the housing first special fund  
16 established under section 346-377, Hawaii Revised Statutes, for  
17 the department of human services to continue to administer  
18 housing first programs for chronically homeless individuals in  
19 the State.

20 SECTION 7. There is appropriated out of the housing first  
21 special fund the sum of \$750,000 or so much thereof as may be  
22 necessary for fiscal year 2013-2014 for the department of human



1 services to continue to administer housing first programs for  
2 chronically homeless individuals in the State.

3 The sums appropriated shall be expended by the department  
4 of human services for the purposes of this part.

5 **PART IV**

6 SECTION 8. The legislature finds that the purpose of the  
7 United States Department of Housing and Urban Development's  
8 homelessness prevention and rapid re-housing program was to  
9 provide economically distressed households and individuals with  
10 financial and other assistance to prevent them from becoming  
11 homeless and help those who are experiencing homelessness to be  
12 quickly re-housed and stabilized. The funds under this program  
13 were intended to target individuals and families who would be  
14 homeless but for this assistance.

15 The department of human services administered the  
16 homelessness prevention and rapid re-housing program to provide  
17 homeless prevention and housing assistance to all eligible  
18 individuals and households who apply through contracted  
19 organizations. The funds from the program provided for a  
20 variety of assistance, including short-term or medium-term  
21 rental assistance and housing relocation, and stabilization



1 services, such as mediation, security or utility deposits,  
2 utility payments, moving cost assistance, and case management.

3 The purpose of this part is to appropriate funds to the  
4 department of human services to once again provide homelessness  
5 prevention and rapid re-housing assistance to all eligible  
6 individuals and households.

7 SECTION 9. There is appropriated out of the general  
8 revenues of the State of Hawaii the sum of \$150,000 or so much  
9 thereof as may be necessary for fiscal year 2013-2014 for the  
10 homelessness prevention and rapid re-housing program.

11 The sums appropriated shall be expended by the department  
12 of human services for the purposes of this part.

13 **PART V**

14 SECTION 10. The shelter plus care program of the United  
15 States Department of Housing and Urban Development provides  
16 rental assistance in connection with supportive services. The  
17 program provides a variety of permanent housing choices,  
18 accompanied by a range of supportive services funded through  
19 other sources. The program assists hard-to-serve homeless  
20 individuals with disabilities and their families. These  
21 individuals primarily include those with serious mental illness,





1 chronic problems with alcohol and drugs, and HIV, AIDS, or  
2 related diseases.

3       There are four components to the shelter plus care program:  
4 single room occupancy component – moderate rehabilitation for  
5 single-room occupancy dwellings; sponsor-based rental assistance  
6 component; project-based rental assistance component; and  
7 tenant-based rental assistance component. Under all components,  
8 supportive services must be available to meet the needs of  
9 participants. Similar to many other federal programs, the  
10 shelter plus care program has a match requirement. Applicants  
11 must match the aggregate amount of shelter plus care rental  
12 assistance with supportive services. This ensures that  
13 appropriate and timely services will be available to meet the  
14 needs of individual participants.

15       The purpose of this part is to provide matching funds for  
16 the shelter plus care program.

17       SECTION 11. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$400,000 or so much  
19 thereof as may be necessary for fiscal year 2013-2014 for  
20 matching funds for the shelter plus care program of the United  
21 States Department of Housing and Urban Development.



1 The sums appropriated shall be expended by the department  
2 of human services for the purposes of this part.

3 PART VI

4 SECTION 12. The legislature finds that many homeless  
5 persons are known to thrive better when they have ready access  
6 to familiar support groups or family members. The intent of the  
7 return-to-home program is to ensure that those individuals who  
8 find themselves homeless in the islands are able to reconnect  
9 with support networks ready and able to receive them.

10 The purpose of this part is to establish a three-year  
11 return-to-home program for eligible homeless individuals.

12 SECTION 13. (a) The department of human services may  
13 coordinate a voluntary homeless assistance pilot program to be  
14 known as the return-to-home pilot program to provide eligible  
15 homeless individuals with assistance in being reunited with  
16 family and relatives in the individual's home state. The  
17 department may contract with eligible non-profit organizations,  
18 for profit organizations, or foundations to administer the pilot  
19 program.

20 (b) No individual who is homeless shall be eligible to  
21 participate in the return-to-home pilot program unless:

- 1           (1) The individual's participation is completely  
2           voluntary;
- 3           (2) The individual, if on parole, probation, or awaiting a  
4           court hearing or sentencing, has proper clearance from  
5           the court to participate in the pilot program; and
- 6           (3) The individual is indigent and lacks the financial  
7           resources necessary to secure transportation to return  
8           to the individual's home state.
- 9           (c) An individual may participate in the return-to-home  
10          pilot program only once and shall sign an agreement to this  
11          effect before participating in the pilot program. The agreement  
12          shall be kept on file with the pilot program.
- 13          (d) The return-to-home pilot program shall actively seek  
14          the participation of local airlines, cruise lines, charter  
15          companies, homeless programs, travel agencies, and the visitor  
16          industry to coordinate and implement the pilot program.
- 17          (e) The return-to-home pilot program shall assist program  
18          participants with necessary and proper preparations for travel,  
19          including obtaining proper identification, accessing public  
20          transportation to the airport, providing orientation relating to  
21          airport security, and ensuring sufficient personal hygiene.



1 (f) The return-to-home pilot program shall cease to exist  
2 on December 31, 2016.

3 SECTION 14. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$100,000 or so much  
5 thereof as may be necessary for fiscal year 2013-2014 for  
6 implementation of the return-to-home pilot program, including  
7 all program costs and hiring of necessary staff.

8 The sum appropriated shall be expended by the department of  
9 human services for the purposes of this part.

10 **PART VII**

11 SECTION 15. The legislature finds that homelessness  
12 continues to be one of the State's most significant and  
13 challenging social problems. The number of homeless persons in  
14 the State, estimated to be approximately six thousand on any  
15 given day, is indicative of the limited shelter space available.

16 The legislature further finds that new and innovative  
17 solutions are needed to address the homelessness crisis.  
18 Oregon, for example, has adopted laws that authorize political  
19 subdivisions to allow religious institutions to offer overnight  
20 camping space for homeless persons living in vehicles.  
21 Similarly, Santa Barbara, California, has instituted a program  
22 that allows private organizations to use county-owned parking



1 lots to provide overnight sleeping space for homeless persons  
2 with vehicles.

3 The purpose of this part is to establish a homeless  
4 assistance working group to work within each local neighborhood  
5 in each county to identify, plan, and implement housing options  
6 for homeless persons in each local community by December 31,  
7 2013, that reflect shared responsibility for addressing  
8 homelessness in Hawaii.

9 SECTION 16. (a) There is established within the  
10 department of human services a homeless assistance working  
11 group. The purpose of the working group shall be to:

12 (1) Work within each local neighborhood in each county to  
13 identify various private and public properties whose  
14 owners are interested in partnering with the local  
15 neighborhood and government to provide land or  
16 structures that can be used to provide temporary homes  
17 for homeless persons, including people who are living  
18 in their motor vehicles;

19 (2) Coordinate with the State's homeless programs office  
20 and continuum of care providers to match homeless  
21 persons in every community with appropriate care and  
22 housing;



- 1           (3) Work with non-profit organizations, businesses, and  
2           government agencies that may be willing to offer their  
3           property for homeless persons living in their motor  
4           vehicles and coordinate voluntary participation and  
5           support to homeless persons;
- 6           (4) Create, develop, and support the housing options  
7           within each local community; and
- 8           (5) Communicate and coordinate with the Hawaii interagency  
9           council on homelessness on meeting their goals.
- 10          (b) The director of human services, or a designee, shall  
11          convene the working group and invite the following as members:
- 12           (1) Representatives of homeless service providers;
- 13           (2) Representatives of community and volunteer service  
14           organizations, which may include:
- 15               (A) Community associations;
- 16               (B) Neighborhood boards; and
- 17               (C) Faith-based organizations;
- 18           (3) Representatives of property owners who are interested  
19           in partnering with the State to provide land, homes,  
20           or buildings that can be used to provide homes for  
21           homeless persons;



- 1           (4) Representatives of the homeless community who are
- 2                   currently experiencing or formerly experienced
- 3                   homelessness;
- 4           (5) Representatives of environmental organizations;
- 5           (6) Representatives of the architecture, engineering,
- 6                   development, and building industry;
- 7           (7) Representatives of other businesses, including
- 8                   realtors and financial institutions;
- 9           (8) Representatives of labor unions;
- 10          (9) Representatives of legal services;
- 11          (10) Representatives of the technology community;
- 12          (11) Various federal, state, and county and city
- 13                   representatives, including the chair of the Hawaii
- 14                   interagency council on homelessness and homeless
- 15                   programs office administrator;
- 16          (12) Interested federal, state, county, and city elected
- 17                   officials; and
- 18          (13) Others interested in supporting homeless assistance.
- 19   The members of the working group shall designate a chair from
- 20   among themselves and serve without compensation.
- 21          (c) The working group shall convene within thirty days of
- 22   the effective date of this Act.



1 (d) The working group shall submit an interim report of  
2 its findings and recommendations, including the progress made to  
3 provide housing and support services, as appropriate, for  
4 homeless persons and any innovative temporary housing solutions,  
5 to the legislature no later than one hundred fifty days after  
6 the effective date of this Act.

7 (e) The homeless assistance working group shall dissolve  
8 on June 30, 2016.

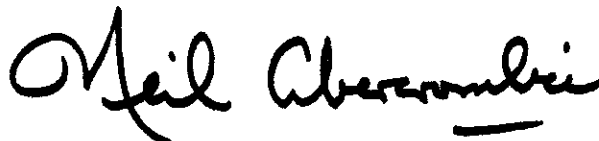
9 SECTION 17. There is appropriated out of the general  
10 revenues of the State of Hawaii the sum of \$100,000 or so much  
11 thereof as may be necessary for fiscal year 2013-2014 for the  
12 construction and demonstration of innovative temporary housing  
13 solutions as they relate to the working group's findings and  
14 recommendations.

15 The sum appropriated shall be expended by the department of  
16 human services for the purposes of this Act.

17 **PART VIII**

18 SECTION 18. This Act shall take effect on July 1, 2013;  
19 provided that part VI shall take effect no later than  
20 December 31, 2013.

APPROVED this 27 day of JUN, 2013



GOVERNOR OF THE STATE OF HAWAII