
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-A Lease, rental agreement; smoking prohibition.

5 (a) Effective July 1, 2014, the authority shall not enter into
6 or renew any lease, rental agreement, permit, or license,
7 including a month-to-month tenancy, unless the lease, rental
8 agreement, permit, or license contains a provision that
9 prohibits the tenant or any guest of the tenant from smoking
10 anywhere in the public housing project, including the dwelling
11 unit of the tenant.

12 (b) Upon learning of any noncompliance with the provision
13 required by subsection (a), the authority shall notify the
14 tenant in writing of the noncompliance. If the tenant cannot be
15 served with notice as required, notice may be given the tenant
16 by posting the notice in a conspicuous place on the dwelling
17 unit.



1 (c) Failure of a tenant or any guest of the tenant to
2 comply with the no smoking provision pursuant to subsection (a)
3 constitutes a ground for termination of the lease, rental
4 agreement, permit, or license, including a month-to-month
5 tenancy, and eviction from the dwelling unit."

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

8 "(a) Except as otherwise provided, the authority may
9 terminate any lease, rental agreement, permit, or license
10 covering the use and occupation of any dwelling unit or other
11 premises located within a public housing project and evict from
12 any premises any tenant, licensee, or other occupant for any of
13 the following reasons:

- 14 (1) Failure to pay rent when due;
- 15 (2) Violation of any of the provisions of a lease, rental
16 agreement, permit, or license;
- 17 (3) Violation of any of the rules of the authority;
- 18 (4) Failure to maintain the dwelling unit in a clean,
19 sanitary, and habitable condition; [~~e~~]
- 20 (5) The existence of any other circumstances giving rise
21 to an immediate right to possession by the
22 authority[~~-~~]; or



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1 (6) Smoking anywhere in the public housing project,
2 including a dwelling unit or other premises located
3 within a public housing project when smoking is
4 prohibited pursuant to section 356D-A."

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

8 SECTION 4. In codifying the new section added by section 1
9 of this Act, the revisor of statutes shall substitute
10 appropriate section numbers for the letters used in designating
11 the new section in this Act.

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

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

15

INTRODUCED BY: *Karl Rhoads*

JAN 23 2014



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Report Title:

Public Housing; Smoking; Ban

Description:

Prohibits smoking anywhere in a public housing project.

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