

JAN 18 2013

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# A BILL FOR AN ACT

RELATING TO PUBLIC HOUSING.

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

1           SECTION 1. Section 356D-42, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~§~~356D-42~~§~~ Housing; tenant selection~~§~~;  
4 consideration of certain minor criminal convictions prohibited.

5   (a) Subject to the following limitations and preferences, the  
6 authority shall select tenants upon the basis of those in  
7 greatest need for the particular housing. The authority may  
8 limit the tenants of any state low-income housing project to  
9 classes of persons when required by federal law or regulation as  
10 a term or condition of obtaining assistance from the federal  
11 government. Within the priorities established by the authority  
12 recognizing need, veterans with a permanent disability of ten  
13 per cent or more as certified by the United States Department of  
14 Veterans Affairs, the dependent parents of the veteran, and the  
15 deceased veteran's widow shall be given first preference.

16           (b) Notwithstanding any other law to the contrary, in the  
17 selection of tenants, the authority shall not consider a  
18 conviction for a violation, petty misdemeanor, or misdemeanor as



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1 provided in the Hawaii Penal Code that occurred five years or  
 2 more prior to the tenant application date; provided that the  
 3 authority may consider any conviction for a violation, petty  
 4 misdemeanor, or misdemeanor involving:

- 5     (1) Drug-related criminal activity, including the illegal
- 6         use of a controlled substance;
- 7     (2) Violent criminal activity;
- 8     (3) A sexual offense as defined in section 846E-1; or
- 9     (4) Abuse of alcohol."

10         SECTION 2. Statutory material to be repealed is bracketed  
 11 and stricken. New statutory material is underscored.

12         SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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# S.B. NO. 518

**Report Title:**

State Low Income Public Housing; Criminal Background; Prohibited Criteria

**Description:**

Prohibits the Hawaii public housing authority from considering a prospective tenant's conviction for a minor crime that occurred five years or more before the application date. Provides exceptions for crimes involving drugs, violence, sexual offenses, and alcohol.

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

