
A BILL FOR AN ACT

RELATING TO HEALTH.

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- Prohibition on smoking in and around public**
5 **housing; designated smoking areas.** (a) Smoking shall be
6 prohibited in any public housing project, elder or elderly
7 household, as defined in section 356D-1, or state low-income
8 housing project, as defined in section 356D-51, within:

- 9 (1) Each individual housing unit;
10 (2) All common areas;
11 (3) Community facilities; and
12 (4) Twenty feet from each individual building of the
13 public housing project or state low-income housing
14 project, and from any entrance, exit, window, and
15 ventilation intake that serves an enclosed or
16 partially enclosed area.

17 (b) The authority shall place and maintain "No smoking"
18 signage at all entrances and exits of the property. The



1 authority may display additional "No smoking" signage at
2 residential and community facilities at their entrances and
3 exits, offices, and in or at enclosed, partially enclosed, or
4 open common areas where conspicuous notice is deemed necessary
5 or appropriate by the authority.

6 (c) For purposes of this section:

7 "Common areas" means roofs, halls, corridors, lobbies,
8 stairs, stairways, fire escapes, entrances and exits of the
9 building or buildings, basements, yards, gardens, recreational
10 facilities, parking areas, storage spaces, and other parts of
11 the project or household normally in common use or other areas
12 designated by the authority.

13 "Smoking" means inhaling, exhaling, burning, or carrying
14 any lighted or heated tobacco product or plant product intended
15 for inhalation in any manner or in any form. "Smoking" includes
16 the use of an electronic smoking device, as defined in section
17 709-908."

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

20 "(a) Except as otherwise provided, the authority may
21 terminate any lease, rental agreement, permit, or license
22 covering the use and occupation of any dwelling unit or other



1 premises located within a public housing project and evict from
2 any premises any tenant, licensee, or other occupant for any of
3 the following reasons:

- 4 (1) Failure to pay rent when due;
- 5 (2) Violation of any of the provisions of a lease, rental
6 agreement, permit, or license;
- 7 (3) Violation of any of the rules of the authority;
- 8 (4) Failure to maintain the dwelling unit in a clean,
9 sanitary, and habitable condition; [~~or~~]
- 10 (5) Upon a third violation of section 356D- ; provided
11 that a violation of any of these terms by a non-
12 resident, a guest who is visiting a resident, or by
13 any member of the resident's household shall be deemed
14 a violation by the resident; or
- 15 [~~+5~~] (6) The existence of any other circumstances giving
16 rise to an immediate right to possession by the
17 authority."

18 SECTION 3. This Act does not affect the rights and duties
19 that matured, penalties that were incurred, and proceedings that
20 were begun, before its effective date.

21 SECTION 4. Statutory material to be repealed is bracketed
22 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Public Housing; State Low-income Housing; Elder or Elderly Households; Smoking Prohibited

Description:

Prohibits smoking in and around public housing projects and state low-income housing projects under the jurisdiction of the Hawaii public housing authority and in and around elder or elderly households. (Proposed SD1)

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