

JAN 29 2015

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# A BILL FOR AN ACT

RELATING TO PUBLIC ASSISTANCE.

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

1           SECTION 1. Section 346-29, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) No applicant or recipient who is found guilty of  
4 fraudulently misrepresenting residence to obtain assistance in  
5 two or more states shall be entitled to public assistance under  
6 this chapter for ten years from date of conviction. No  
7 applicant or recipient shall be entitled to public assistance  
8 under this chapter who is a resident of the State for less than  
9 four months, or who is a fugitive felon or who is in violation  
10 of a condition of probation or parole or has sufficient income  
11 or other resources to provide a standard above that provided in  
12 this chapter, or who is an inmate of any public institution,  
13 except that any inmate of a public institution who is otherwise  
14 eligible for medical assistance and who has been determined by  
15 the medical director of the institution as having a major  
16 illness or medical condition requiring the provision of medical  
17 care outside of the institution may receive assistance under



1 this chapter. An inmate of a public institution or resident of  
2 a medical institution may apply for assistance to begin after  
3 the inmate's discharge from the institution. To enforce this  
4 subsection, the department shall examine each list of inmates  
5 within, or newly admitted to, a correctional facility in the  
6 State that is submitted to the department by the director of  
7 public safety pursuant to section 353-12.5, regardless of the  
8 nature of the offense for which an inmate is incarcerated or the  
9 duration of incarceration, to determine whether an inmate is  
10 eligible for public assistance under this chapter.

11 As used in this section, "resident" means a person who is  
12 physically present in the State at the time the person claims to  
13 have established the person's domicile in the State and shows  
14 the person's intent is to make Hawaii the person's primary  
15 residence."

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

18 "**§356D-42 Housing; tenant selection.** (a) The authority  
19 shall select tenants upon the basis of those in greatest need  
20 for the particular housing, subject to the following limitations  
21 and preferences:



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- 1           (1) The authority may limit the tenants of any state low-  
2           income housing project to classes of persons when  
3           required by federal law or regulation as a term or  
4           condition of obtaining assistance from the federal  
5           government; provided that not less than fifty per cent  
6           of available units shall be for applicants without  
7           preference and up to fifty per cent of available units  
8           shall be for applicants with preference;
- 9           (2) Within the priorities established by the authority  
10          recognizing need, veterans with a permanent disability  
11          of ten per cent or more, as certified by the United  
12          States Department of Veterans Affairs, and their  
13          dependent parents, if any. The deceased veteran's  
14          widow or widower shall be given first preference.  
15          Parents of veterans shall not use the veteran status  
16          of their adult child as a basis for preference; and
- 17          (3) Subject to any limitations set by federal law or  
18          regulation, the authority shall not select as a  
19          tenant, and may terminate the tenancy of, any person  
20          if the person or any household member owns or acquires  
21          a home within the State[-];



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1 provided that the authority shall not select as a tenant any  
2 applicant who has not been a resident for at least four months.

3 (b) The authority shall adopt rules pursuant to chapter 91  
4 to carry out the purposes of this section.

5 (c) As used in this section, "resident" means a person who  
6 is physically present in the State at the time the person claims  
7 to have established the person's domicile in the State and shows  
8 the person's intent is to make Hawaii the person's primary  
9 residence."

10 SECTION 3. This Act does not affect rights and duties that  
11 matured, penalties that were incurred, and proceedings that were  
12 begun before its effective date.

13 SECTION 4. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:

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# S.B. NO. 1249

**Report Title:**

Public Assistance; Residency Requirement

**Description:**

Requires an applicant or recipient of public assistance to be a resident of the State for at least 4 months.

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

