
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-6.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 " ~~[+]~~ §356D-6.5 ~~[+]~~ Prohibition on smoking in and around
4 public housing; designated smoking areas. (a) Smoking shall be
5 prohibited in any public housing project, elder or elderly
6 household, as defined in section 356D-1, or state low-income
7 housing project, as defined in section 356D-51, within:

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

16 (b) Notwithstanding subsection (a), the authority may
17 designate one or more permissible smoking areas at least twenty



1 feet away from any residential or other building, or any greater
2 distance away as may ensure that the secondhand smoke does not
3 infiltrate any dwelling unit.

4 (c) The authority shall place and maintain "No smoking"
5 signage at all entrances and exits of the property. The
6 authority may display additional "No smoking" signage at
7 residential and community facilities at their entrances and
8 exits, offices, and in or at enclosed, partially enclosed, or
9 open common areas for the purpose of conspicuous notice.

10 (d) The authority shall document each violation observed
11 by authority staff, agents, or authorized representatives and
12 retain a record of violations on a resident's record for up to
13 three years.

14 [~~d~~] (e) The authority may adopt rules pursuant to
15 chapter 91 to effectuate the purposes of this section.

16 [~~e~~] (f) For purposes of this section:

17 "Common areas" means roofs, halls, sidewalks, corridors,
18 lobbies, stairs, stairways, fire escapes, entrances and exits of
19 the building or buildings, basements, yards, gardens,
20 recreational facilities, parking areas, storage spaces, and



1 other parts of the project or household normally in common use
2 or other areas designated by the authority.

3 "Smoking" means inhaling, exhaling, burning, or carrying
4 any lighted or heated tobacco product or plant product intended
5 for inhalation in any manner or in any form."

6 SECTION 2. This Act does not affect rights and duties that
7 matured, penalties that were incurred, and proceedings that were
8 begun before its effective date.

9 SECTION 3. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 4. This Act shall take effect upon a date to be
12 determined.



Report Title:

Smoking; Public Housing; Hawaii Public Housing Authority;
Violations; Documentation

Description:

Requires the Hawaii Public Housing Authority to document resident smoking violations observed by authority staff, agents, or authorized representatives and retain a record of violations on a resident's record for up to three years. (HB829 HD1)

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

