

JAN 20 2017

A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

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

1 SECTION 1. Act 234, Session Laws of Hawaii 2016, is
2 amended by amending section 1 to read as follows:

3 "SECTION 1. The purpose of this Act is to address
4 homelessness.

5 The legislature finds that homeless families and
6 individuals deserve shelter and the general public deserves safe
7 and clean sidewalks, parks, schools, and other public
8 facilities. Achieving both objectives requires a strategy of
9 making available emergency and transitional shelters that appeal
10 to homeless families and individuals and enforcing state and
11 county trespass and anti-nuisance statutes and ordinances. The
12 shelters are intended to make space available to homeless
13 families and individuals displaced from public sidewalks, parks,
14 schools, and other public facilities by the enforcement of
15 statutes and ordinances that prohibit camping or habitation in
16 those areas[-] as well as those who have been previously housed
17 and have lost their housing due to unforeseen circumstances.



1 This Act is intended to address the first part of the
2 strategy: to make available more emergency and transitional
3 shelter space funded in a cost-effective manner. More
4 specifically, this Act:

- 5 (1) Provides that emergency shelters shall comply with
6 certain minimum requirements that meet basic needs and
7 preferences of homeless families and individuals~~[By~~
8 ~~doing so, the legislature intends that the shelters be~~
9 ~~more appealing to homeless families and individuals]~~;
10 provided that those changes do not actually reduce the
11 number of people that can be sheltered in each
12 facility;
- 13 (2) ~~[Requires homeless shelter stipend payments to be made~~
14 ~~based on performance measures that are actually~~
15 ~~achieved. The legislature intends that this~~
16 ~~requirement incentivize emergency and transitional~~
17 ~~shelter providers to actually provide shelter to more~~
18 ~~homeless families and individuals;]~~ Provides staffing
19 that includes housing navigators, shelter workers, and
20 security, allowing job sharing to fit the needs of
21 each shelter;



1 (3) ~~[Repeals the automatic annual adjustment of the~~
2 ~~homeless stipend amount. The legislature intends that~~
3 ~~any adjustment of the stipend amount shall be subject~~
4 ~~to the contract between the department of human~~
5 ~~services and the provider agency;]~~ Stipulates a review
6 of shelter outcomes at the close of each year in an
7 effort to build accountability. Achievement of
8 targeted outcomes will result in incentivized payments
9 to the shelter provider while failure to meet outcomes
10 may result in a downward payment adjustment in the
11 subsequent year;

12 (4) Revises existing provisions on the establishment and
13 collection of shelter and service payments by a
14 provider agency from homeless families and
15 individuals; and

16 (5) Requires each provider agency to submit a financial
17 audit to the department at least annually."

18 SECTION 2. Section 346-361, Hawaii Revised Statutes, is
19 amended by amending the definition of "emergency shelter" to
20 read as follows:



1 "Emergency shelter" means a homeless facility designed to
2 provide temporary shelter and appropriate and available services
3 to homeless families or individuals for ~~[a specified period of~~
4 ~~time who are not able to stay in a transitional shelter or~~
5 ~~reside in a dwelling unit.]~~ up to six months."

6 SECTION 3. Section 346-374, Hawaii Revised Statutes, is
7 amended by amending subsections (a) and (b) to read as follows:

8 "(a) The department may make or may contract to make
9 homeless shelter stipend payments to a provider agency operating
10 or managing an emergency or transitional shelter. Under each
11 contract, the department ~~[shall pay]~~ may adjust homeless shelter
12 stipends ~~[only for]~~ at the end of each year based upon
13 performance measures actually achieved by the provider agency,
14 such as the number of homeless families or individuals actually
15 provided with shelter and appropriate services at the emergency
16 or transitional shelter. The contract also may include
17 provisions for the automatic adjustment of the homeless shelter
18 stipend amounts, depending on factors agreed to by the
19 department and provider agency.

20 (b) In making homeless shelter stipend payments to a
21 provider agency, the department may establish minimum services



1 ~~[to be provided by]~~ with input from the provider agency ~~[to~~
2 ~~homeless families or individuals at the provider agency's~~
3 ~~shelter. The department may also direct provider agencies to~~
4 ~~establish and manage a savings account program as described in~~
5 ~~subsection (c). Additionally, the department may direct~~
6 ~~provider agencies to subcontract for outreach services from~~
7 ~~other private agencies specializing in programs for the~~
8 ~~unsheltered homeless]."~~

9 SECTION 4. Section 346-374.5, Hawaii Revised Statutes, is
10 amended by amending subsections (b) and (c) to read as follows:

11 "(b) The department shall require an emergency shelter to
12 comply with the following:

- 13 (1) The shelter shall have the number of showers and
14 bathrooms that ~~[the department deems appropriate and~~
15 ~~sufficient for the number of homeless families or~~
16 ~~individuals that use the shelter and the capacity of~~
17 ~~the shelter.]~~ meet the needs of the population but no
18 fewer than one shower, one sink, and one toilet per
19 twenty-five residents. The showers and bathrooms may
20 be part of the shelter building or portable and
21 unattached to the shelter building;

- 1 (2) The shelter shall have partitioned space for each
2 homeless family or individual that provides separation
3 from other homeless families or individuals in the
4 shelter. The minimum area of the partitioned space
5 ~~[and height of the partition]~~ shall be determined by
6 ~~[the department and may differ among transitional~~
7 ~~shelters, according to]~~ the number of homeless
8 families or individuals that use the shelter and the
9 capacity of the shelter. A shelter that provides
10 separate rooms or portable dwelling units for homeless
11 families or individuals, including converted shipping
12 containers or school classrooms, shall be deemed to
13 exceed this minimum requirement; and
- 14 (3) The shelter shall provide storage for the personal
15 possessions of each homeless family or individual
16 served by the shelter. The storage shall be securable
17 by the homeless family or individual. The type and
18 number of the storage equipment, space, or area shall
19 be determined by ~~[the department.]~~ space availability
20 of the individual shelter.



1 (c) ~~[The department may require an emergency shelter to~~
2 ~~comply with any other requirements that the department deems~~
3 ~~appropriate or necessary. The requirements established by the~~
4 ~~department may vary among emergency shelters.] Realizing that~~
5 the objective of emergency shelters is to enable shelter
6 residents to successfully obtain permanent housing, the
7 department shall work with shelter management to ensure that
8 residents receive needed services."

9 SECTION 5. There is established in the department of human
10 services two permanent full-time equivalent (2.0 FTE) program
11 specialist IV positions to assist in the operation of the
12 homeless shelter program.

13 SECTION 6. There is appropriated out of the general
14 revenues of the State of Hawaii the sum of \$ or so
15 much thereof as may be necessary for fiscal year 2017-2018 and
16 the same sum or so much thereof as may be necessary for fiscal
17 year 2018-2019 for the personal services costs of the program
18 specialist IV positions established under section 5.

19 The sums appropriated shall be expended by the department
20 of human services for the purposes of this Act.

1 SECTION 7. There is appropriated out of the general
 2 revenues of the State of Hawaii the sum of \$ or so
 3 much thereof as may be necessary for fiscal year 2017-2018 and
 4 the same sum or so much thereof as may be necessary for fiscal
 5 year 2018-2019 for the establishment or improvement of emergency
 6 and transitional shelters for the homeless and funding of other
 7 non-recurring costs for projects or programs to assist homeless
 8 families and individuals.

9 The sums appropriated shall be expended by the department
 10 of human services for the purposes of this Act.

11 SECTION 8. Statutory material to be repealed is bracketed
 12 and stricken. New statutory material is underscored.

13 SECTION 9. This Act shall take effect on July 1, 2017.
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S.B. NO. 588

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Report Title:

Homeless Shelters; Requirements; Appropriations

Description:

Defines emergency shelter to mean a homeless facility designed to provide temporary shelter and services for up to six months. Allows homeless shelter stipends to be adjusted at the end of each year based upon achievement of performance measures. Requires homeless shelters to have no fewer than one shower, one sink, and one toilet per twenty-five residents and the minimum area of each partitioned space to be determined by the number of residents and capacity of the shelter. Establishes that the storage space at a homeless shelter shall be determined by each shelter's space availability. Removes DHS's authority to require shelters to comply with additional requirements. Establishes and funds 2.0 FTE positions to assist in the implementation of the homeless shelter program. Appropriates funds for homeless shelters and other non-recurring costs.

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