

Honolulu, Hawaii

February 16, 2018

RE: H.B. No. 2038
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Water & Land, to which was referred H.B. No. 2038, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HOUSING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize nonprofit organizations to provide shelter to homeless persons, including by hosting temporary encampments on property owned or controlled by the organization;
- (2) Prohibit counties from enacting ordinances that substantially burden nonprofit organizations providing shelter to homeless persons; and
- (3) Limit county liability for any injury or damage caused by permitting the sheltering of homeless persons and any conduct or unlawful activity caused by sheltering homeless persons pursuant to this measure.

The Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii and Hawaii Association for Justice supported this measure. The Governor's Coordinator on Homelessness provided comments.

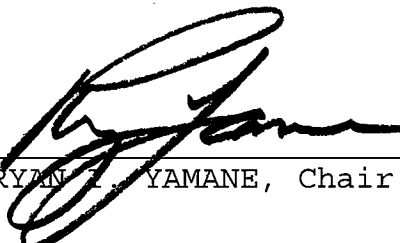


Your Committee has amended this measure by:

- (1) Amending the substantive provisions of this measure to establish a three-year pilot program which authorizes nonprofit organizations in a county with a population of 500,000 or more to provide shelter to homeless persons, and prohibits the host county from enacting ordinances that impose stricter conditions or more excessive fees than necessary for providing shelter on the organization's own property or require the organization to indemnify the county;
- (2) Requiring nonprofit organizations to provide shelter from natural elements for homeless persons who are sheltered outdoors on the nonprofit organization's property;
- (3) Removing the provision that prohibited the host county from imposing conditions that substantially burden the decisions or actions of a nonprofit organization regarding the location of the shelter on the nonprofit organization's property; and
- (4) Changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Water & Land that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2038, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2038, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Water & Land,



RYAN L. YAMANE, Chair



