

STAND. COM. REP. NO.

2186

Honolulu, Hawaii

**FEB 12 2018**

RE: S.B. No. 2007  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Housing, to which was referred S.B. No. 2007 entitled:

"A BILL FOR AN ACT RELATING TO THE HOUSELESS BILL OF RIGHTS,"

begs leave to report as follows:

The purpose and intent of this measure is to define specific rights granted to a person who is houseless, including equal access to housing, jobs, and shelters, equal treatment by government agencies, and access to life-sustaining activities and essential services.

Your Committee received testimony in support of this measure from one individual. Your Committee received comments on this measure from the Governor's Coordinator on Homelessness, Department of the Attorney General, League of Women Voters of Hawaii, and one individual.

Your Committee finds that no person's rights, privileges, or access to public services should be denied solely because that person is houseless, and a houseless individual should be granted the same rights as any other person. Houseless persons often experience discrimination based on their appearance or lack of permanent address, and this measure seeks to protect their basic human rights.

Your Committee has amended this measure by:



- (1) Adopting the language suggested by the Department of the Attorney General that:
  - (A) Removes language that would have conferred the right to a reasonable expectation of privacy in personal property to the same extent as personal property in a permanent residence, to avoid the interpretation of conferring additional legal rights to houseless persons that are not conferred to other citizens of the State, or of interference with law enforcement efforts;
  - (B) Removes language that would have entitled a houseless person to an equal opportunity to have access to public hygiene facilities and live in decent accommodations, to avoid a possible interpretation that the State is obligated to provide housing for everyone;
  - (C) Clarifies that under the right to maintain access to services essential to survival, law enforcement activities and efforts to promote health, safety, and welfare are not included as actions by the State and counties, rather than actions by only the State, to appropriately exclude county actions that are necessary to ensure public safety; and
  - (D) Adds language to clarify that the houseless bill of rights shall not be interpreted to create new legal rights for houseless persons, but is intended to ensure that a houseless person is not discriminated against due to housing status; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2007, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2007, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on  
behalf of the members of the  
Committee on Housing,

*Will Espero*

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WILL ESPERO, Chair



The Senate  
 Twenty-Ninth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Housing**  
**HOU**

Bill / Resolution No.:* <i>SB 2007</i>	Committee Referral: <i>HOU, JDC</i>	Date: <i>2/1/18</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
ESPERO, Will (C)	✓			
HARIMOTO, Breene (VC)	✓			
GREEN, Josh	✓			
KAHELE, Kaiali'i				✓
NISHIHARA, Clarence K.				✓
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Breene Harimoto</i>				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes