

JAN 18 2019

A BILL FOR AN ACT

RELATING TO GROUP LIVING FACILITIES.

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

1 SECTION 1. Section 46-4, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:
3 "(d) Neither this section nor any other law, county
4 ordinance, or rule shall prohibit group living in facilities
5 with eight or fewer residents for purposes or functions that are
6 licensed, certified, registered, or monitored by the State;
7 provided that until the department of health establishes the
8 clean and sober homes registry pursuant to section 321-193.7, a
9 group living facility owner or operator may operate upon
10 providing notice of operation to the applicable county in which
11 the facility is operating; provided further that a resident
12 manager or a resident supervisor and the resident manager's or
13 resident supervisor's family shall not be included in this
14 resident count. These group living facilities shall meet all
15 applicable county requirements not inconsistent with the intent
16 of this subsection, including but not limited to building



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1 height, setback, maximum lot coverage, parking, and floor area
2 requirements."

3 SECTION 2. Section 321-193.7, Hawaii Revised Statutes, is
4 amended by amending subsections (b) and (c) to read as follows:

5 "(b) Upon review and approval of a home operator's
6 application, the department shall issue a certificate of
7 registration that shall specify:

- 8 (1) The name of the holder of the registration;
- 9 (2) The address to which the registration applies;
- 10 (3) The maximum number of persons to reside in the home;
- 11 and
- 12 (4) The period for which the registration shall be valid.

13 An owner, operator, or landlord shall not hold the property out
14 to be or advertise to be a "registered clean and sober home"
15 unless the home is registered and in good standing with the
16 clean and sober homes registry[-]; provided that until the
17 establishment of the registry, an owner, operator, or landlord
18 may hold the property out to be or advertise to be a "registered
19 clean and sober home" upon providing notice of operation to the
20 applicable county.



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1 (c) [The] Upon establishment of the registry by the
2 department, the certificate of registration shall be publicly
3 displayed at the home."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect on July 1, 2019.

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INTRODUCED BY:

~~SEN DC~~ Sen. Dan Claitor

J. Phil Gilch

Dundent, J

Assembly of Baha

Ernaime G. Juarez



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Report Title:

Group Living Facilities; Notice; Operation; Clean and Sober Homes Registry

Description:

Specifies that until the department of health establishes the clean and sober homes registry, group living facility operators shall be permitted to operate upon providing notice of operation to the applicable county.

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

