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# A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLE IX, SECTION 5, OF THE  
CONSTITUTION OF THE STATE OF HAWAII.

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

1           SECTION 1. The legislature finds that the preamble to the  
2 Constitution of the State of Hawaii reserves "the right to  
3 control our destiny, to nurture the integrity of our people and  
4 culture, and to preserve the quality of life that we desire."  
5 Article I, section 2, of the Constitution of the State of Hawaii  
6 states that "[a]ll persons are free by nature and are equal in  
7 their inherent and inalienable rights" and "[a]mong these rights  
8 are the enjoyment of life, liberty and the pursuit of happiness,  
9 and the acquiring and possessing of property." In order to  
10 preserve these rights, the State must take bold action. The  
11 quality of life is diminishing for many residents, particularly  
12 the seventy per cent of residents with incomes at or below  
13 eighty per cent of the area median income and who find it  
14 exceptionally difficult to buy or rent a home for their  
15 families.



1           The legislature further finds that although Hawaii has had  
2 unmet housing needs for decades, today the State is in crisis  
3 mode as more people face the challenge of moving out of state or  
4 living in multi-household housing to avoid homelessness. The  
5 entire State, government at all levels, the private sector, non-  
6 profit agencies, and individuals, must focus on creating the  
7 supply to meet the demand for housing for all residents. A  
8 guaranteed right to housing demonstrates the State's commitment  
9 to housing as a basic right and preserves quality of life.  
10 Housing for all residents should be as important a priority as  
11 the right to a clean and healthful environment, which is already  
12 enshrined in the state constitution.

13           The purpose of this Act is to propose an amendment to  
14 article IX, section 5, of the Constitution of the State of  
15 Hawaii to require the State to assure that each resident has  
16 access to housing, to be implemented upon legislation that  
17 provides standards and criteria for assuring access to housing.

18           SECTION 2. Article IX, section 5, of the Constitution of  
19 the State of Hawaii is amended to read as follows:

20                           **"HOUSING, [~~SLUM-CLEARANCE,~~] DEVELOPMENT**  
21   **AND REHABILITATION**



1           Section 5. The State shall assure that each resident of  
2 the State has access to housing. The legislature shall provide  
3 standards and criteria to accomplish the foregoing. The State  
4 shall have the power to provide for, or assist in, housing,  
5 [~~slum clearance~~] the elimination of blighted areas and the  
6 development or rehabilitation of substandard areas. The  
7 exercise of such power is deemed to be for a public use and  
8 purpose."

9           SECTION 3. The question to be printed on the ballot shall  
10 be as follows:

11           "Shall the Constitution of the State of Hawaii be amended to  
12 require that the State assure that each resident of the  
13 State has access to housing, subject to standards and  
14 criteria to be provided by the Legislature?"

15           SECTION 4. Constitutional material to be repealed is  
16 bracketed and stricken. New constitutional material is  
17 underscored.

18           SECTION 5. This amendment shall take effect on January 1,  
19 2050.



**Report Title:**

Constitutional Amendment; Access to Housing

**Description:**

Proposes an amendment to article IX, section 5, of the Constitution of the State of Hawaii, to require the State to assure that each resident of the State has access to housing, subject to standards and criteria to be provided by the Legislature. (HB1315 HD1)

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

