
A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

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

1 SECTION 1. The legislature finds that the COVID-19
2 pandemic has endangered lives around the world. Amid threats to
3 people's well-being, concerns about an overextended health care
4 system, and record numbers of unemployed individuals,
5 communities have come together to create emergency areas to
6 house and help those who are homeless.

7 The legislature further finds that COVID-19 will likely
8 continue to pose risks to Hawaii until an effective treatment or
9 vaccine is developed, and given these risks, it is unsafe to
10 remove people from established emergency homes and services.

11 The legislature finds that ensuring public safety is
12 paramount, and it is in the public interest to assist emergency
13 homeless camps to temporarily provide shelter due to COVID-19,
14 persistent homelessness, and a severe economic downturn in the
15 State.

16 The purpose of this Act is to ensure the safety of those
17 individuals in emergency homeless camps by authorizing the board



1 of land and natural resources to issue month-to-month revocable
2 permits to be used for temporary emergency sheltering and
3 facilities for homeless persons on state lands.

4 SECTION 2. (a) Notwithstanding any law to the contrary,
5 the board of land and natural resources may issue month-to-month
6 revocable permits to be used for the temporary emergency
7 sheltering of and facilities for homeless persons on state lands
8 under conditions, including rent amounts that will serve the
9 best interest of the State; provided that:

10 (1) Any revocable permit issued pursuant to this Act shall
11 be exempt from chapter 171, Hawaii Revised Statutes;

12 (2) A revocable permit may only be issued pursuant to this
13 Act if the person to whom the revocable permit is
14 issued has a written agreement or partnership with the
15 State or any political subdivision thereof; and

16 (3) A revocable permit shall not be issued for lands under
17 the control or management of the department of
18 agriculture until the board of land and natural
19 resources has obtained the prior written agreement of
20 the department of agriculture.



1 (b) A person to whom a revocable permit is issued pursuant
2 to this Act shall endeavor to meet all applicable state and
3 county requirements, or if noncompliant due to the nature of the
4 emergency, shall demonstrate good faith planning and progress to
5 achieve and maintain compliance, or seek alternative locations
6 for the long term sheltering of homeless persons.

7 (c) Each person to whom a revocable permit is issued or
8 who resides on state-owned land leased pursuant to this Act
9 shall, in writing, waive, release, indemnify, and hold harmless
10 the State of Hawaii, its officers, agents, and employees from
11 and against any and all claims arising out of or resulting from
12 the lease or occupancy; provided that the written waiver,
13 release, indemnification, and holding harmless provided pursuant
14 to this subsection shall survive the repeal of this Act.

15 SECTION 3. This Act shall take effect upon its approval
16 and shall be repealed ninety days after the last day of the
17 disaster emergency relief period specified in the governor's
18 final supplementary proclamation relating to the COVID-19
19 emergency, irrespective of any separate proclamation terminating
20 the disaster emergency relief period in the governor's final
21 supplementary proclamation relating to the COVID-19 emergency.



Report Title:

Homelessness; Department of Land and Natural Resources;
Department of Agriculture; Emergency Shelter; Revocable Permits

Description:

Authorizes the Board of Land and Natural Resources to issue revocable month-to-month temporary permits for the temporary emergency sheltering of and facilities for homeless persons on state lands, under certain conditions. Repeals 90 days after the last day of the disaster emergency relief period specified in the Governor's final Supplementary Proclamation relating to the COVID-19 emergency, irrespective of any separate proclamation terminating the disaster emergency relief period in the Governor's final Supplementary Proclamation relating to the COVID-19 emergency. (HD2)

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