804 S.B. NO. ⁸⁰⁴ S.D. 1

A BILL FOR AN ACT

RELATING TO TEACHER RENTAL HOUSING.

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

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PART I

2 SECTION 1. The legislature finds that there is a severe 3 shortage of qualified teachers in public school classrooms 4 throughout the State. Each year, the department of education 5 looks for approximately one thousand two hundred teachers to 6 fill vacancies. For the 2018-2019 school year, there were 7 one thousand twenty-nine vacancies throughout the State, up from 8 one thousand eleven during the 2017-2018 school year, and 9 nine hundred twenty during the 2016-2017 school year. While 10 there are teachers to fill all public school classrooms, approximately six hundred of those classrooms are staffed by 11 12 long-term substitutes, rather than full-time teachers.

13 The legislature further finds that the high cost of living 14 and lack of affordable housing in Hawaii are some of the factors 15 contributing to teachers leaving the profession or leaving the 16 State entirely. According to the Employment Report published by 17 the department of education, in the 2017-2018 school year,

2021-2714 SB804 HD2 HMS0

Page 2

S.B. NO. ⁸⁰⁴ S.D. 1 H.D. 2

51.8 per cent of teachers who resigned cited "leaving Hawaii" as
 their primary reason for resigning, while fourteen per cent
 resigned for a non-teaching or non-education related job.

4 The high cost of living in Hawaii coupled with a lack of 5 affordable housing makes recruiting and retaining gualified teachers one of the most pressing matters of the State. 6 7 Providing financial incentives such as affordable housing for 8 teachers is a means for the department of education and public 9 charter schools to recruit and retain qualified teachers by 10 lessening the financial burden many teachers are experiencing in 11 the State.

12 The purpose of this Act is to:

13 (1) Authorize the Hawaii public housing authority and
14 Hawaii housing finance and development corporation to
15 provide affordable rental housing for teachers
16 employed by the department of education and public
17 charter schools;

18 (2) Appropriate funds for the Hawaii public housing19 authority;

2021-2714 SB804 HD2 HMS0

1	(3)	Authorize the Hawaii housing finance and development
2		corporation to contract or sponsor with any state or
3		county agency for the aforementioned housing;
4	(4)	Appropriate funds out of the dwelling unit revolving
5		fund for the development of rental housing for
6		teachers;
7	(5)	Require the department of education to lease land and
8		contract with private entities for the development,
9		management, maintenance, or revitalization of teacher
10		housing; and
11	(6)	Permit private owners leasing land from the department
12		of education for teacher housing to lease to other
13		eligible tenants under certain circumstances.
14		PART II
15	SECT	ION 2. Section 356D-42, Hawaii Revised Statutes, is
16	amended b	y amending subsection (a) to read as follows:
17	"(a)	The authority shall select tenants upon the basis of
18	those in	greatest need for the particular housing, subject to
19	the follo	wing limitations and preferences:
20	(1)	The authority may limit the tenants of any state
21		low-income housing project to classes of persons when

2021-2714 SB804 HD2 HMS0

1 required by federal law or regulation as a term or 2 condition of obtaining assistance from the federal 3 government; provided that not less than fifty per cent 4 of available units shall be for applicants without 5 preference and up to fifty per cent of available units 6 shall be for applicants with preference; 7 (2)Within the priorities established by the authority 8 recognizing need, veterans with a permanent disability 9 of ten per cent or more, as certified by the United 10 States Department of Veterans Affairs, and their 11 dependent parents, if any. The deceased veteran's 12 widow or widower shall be given first preference. 13 Parents of veterans shall not use the veteran status of their adult child as a basis for preference; [and] 14 15 (3) The authority may provide rental housing for teachers 16 employed by the department of education and public 17 charter schools; and 18 [(3)] (4) Subject to any limitations set by federal law or 19 regulation, the authority shall not select as a

tenant, and may terminate the tenancy of, any person

2021-2714 SB804 HD2 HMS0

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S.B. NO. ⁸⁰⁴ S.D. 1 H.D. 2

1	if the person or any household member owns or acquires
2	a home within the State."
3	SECTION 3. There is appropriated out of the general
4	revenues of the State of Hawaii the sum of \$ or so
5	much thereof as may be necessary for fiscal year 2021-2022 and
6	the same sum or so much thereof as may be necessary for fiscal
7	year 2022-2023 for purposes of this part.
8	The sums appropriated shall be expended by the Hawaii
9	public housing authority for the purposes of this part.
10	PART III
11	SECTION 4. Section 201H-12, Hawaii Revised Statutes, is
12	amended as follows:
13	1. By amending subsection (a) to read:
14	"(a) The corporation, in its own behalf or on behalf of
15	any federal, state, or county agency, may:
16	(1) Clear, improve, and rehabilitate property;
17	(2) Plan, develop, construct, and finance housing
18	projects, including mixed-use developments; and
19	(3) In cooperation with any state or county department or
20	agency, including the department of education and
21	department of accounting and general services, plan

2021-2714 SB804 HD2 HMS0

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facilities and rental housing projects for teachers 1 2 employed by the department of education and public 3 charter schools and related infrastructure as an 4 integral part of its housing projects, including 5 mixed-use developments, using all its innovative 6 powers toward achieving that end expeditiously and 7 economically; provided that facilities developed in cooperation with the department of education comply 8 9 with the department of education's educational 10 objectives and requirements. 11 For purposes of this subsection, "mixed-use developments" means

12 a development that contains affordable residential dwelling 13 units that may be combined with governmental, educational, 14 commercial, cultural, institutional, or industrial uses; is 15 approved by the county in which the project is located; and is 16 subject to: chapter 104; title 40 United States Code sections 3141, 3142, 3143, 3144, 3146, and 3147; or a project 17 18 labor agreement by law or contract in the construction of the 19 project."

2021-2714 SB804 HD2 HMS0

Page 6



7

1 2. By amending subsection (e) to read: 2 "(e) The corporation may contract or sponsor with any 3 state or county[,] department or agency, housing authority, or 4 person, subject to the availability of funds, an experimental or 5 demonstration housing project designed to meet the needs of 6 elders; the disabled; displaced or homeless persons; low- and 7 moderate-income persons; teachers or other government employees; 8 or university and college students and faculty." 9 SECTION 5. There is appropriated out of the general 10 revenues of the State of Hawaii the sum of \$ or so 11 much thereof as may be necessary for fiscal year 2021-2022 and 12 the same sum or so much thereof as may be necessary for fiscal 13 year 2022-2023 to be deposited into the dwelling unit revolving 14 fund. 15 SECTION 6. There is appropriated out of the dwelling unit revolving fund the sum of \$ or so much thereof as may 16 17 be necessary for fiscal year 2021-2022 and the same sum or so 18 much thereof as may be necessary for fiscal year 2022-2023 for 19 the development of rental housing for teachers; provided that if 20 the department of education does not identify and approve land 21 for the development of rental housing for teachers by

2021-2714 SB804 HD2 HMS0

Page 7

	December 31, 2021, the sums appropriated may be expended for the
2	purposes of section 201H-191, Hawaii Revised Statutes.
3	The sums appropriated shall be expended by the Hawaii
4	housing finance and development corporation for the purposes of
5	this part.
6	PART IV
7	SECTION 7. Chapter 302A, Hawaii Revised Statutes, is
8	amended by adding a new section to subpart E of part III to be
9	appropriately designated and to read as follows:
10	" <u>\$302A-</u> Teachers' housing; leasing and occupancy;
11	rules. (a) The department shall lease land and contract with
12	private entities for the development, management, maintenance,
1 2	privace encreteres for ene deveropment, management, maritemance,
13	or revitalization of housing for teachers employed by the
13	or revitalization of housing for teachers employed by the
13 14	or revitalization of housing for teachers employed by the department or public charter schools as necessary to effectuate
13 14 15	or revitalization of housing for teachers employed by the department or public charter schools as necessary to effectuate this subpart.
13 14 15 16	or revitalization of housing for teachers employed by the department or public charter schools as necessary to effectuate this subpart. (b) If the occupancy of teacher housing units by teachers
13 14 15 16 17	or revitalization of housing for teachers employed by the department or public charter schools as necessary to effectuate this subpart. (b) If the occupancy of teacher housing units by teachers is less than ninety-five per cent of the total units in a
13 14 15 16 17 18	or revitalization of housing for teachers employed by the department or public charter schools as necessary to effectuate this subpart. (b) If the occupancy of teacher housing units by teachers is less than ninety-five per cent of the total units in a project, the project owner may rent the available units to

2021-2714 SB804 HD2 HMS0

Page 9

S.B. NO. ⁸⁰⁴ S.D. 1 H.D. 2

1 (d) For the purposes of this section "project owner" means any private entity that enters into a contract to lease land for 2 3 teacher housing pursuant to this section." 4 PART V 5 SECTION 8. Statutory material to be repealed is bracketed 6 and stricken. New statutory material is underscored. 7 SECTION 9. This Act shall take effect on December 1, 2050; 8 provided that sections 3, 5, and 6 of this Act shall take effect 9 on December 1, 2050.



Report Title:

HPHA; HHFDC; DOE; Public Charter Schools; Teacher Housing; Appropriations

Description:

Authorizes HPHA and HHFDC to provide rental housing projects for teachers employed by the DOE and public charter schools. Appropriates funds for HPHA. Appropriates funds for deposit into the dwelling unit revolving fund. Requires the DOE to lease land and contract with private entities for teacher housing. Permits the private entities to lease teacher housing to other eligible tenants under certain circumstances. Effective 12/1/2050. (HD2)

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

