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# 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, under the  
2 governor's emergency proclamations related to homelessness  
3 issued on October 16, 2015, and December 6, 2018, respectively,  
4 and the supplemental proclamations thereto, the State and  
5 counties, in partnership with developers and nonprofit  
6 organizations, created portable homes. These homes, commonly  
7 referred to as tiny homes or kauhale, were exempted from county  
8 building permits and other restrictions. The semi-permanent  
9 tiny homes or kauhale are a pathway out of homelessness for  
10 working residents who cannot afford market rentals. The  
11 legislature further finds that the final supplemental  
12 proclamation to the governor's 2018 emergency proclamation  
13 expired on February 14, 2020.

14       The legislature also finds that, according to a January 10,  
15 2022, Honolulu Star-Advertiser article, the below-market rent  
16 for a studio apartment is \$1,320 for a three hundred twenty-six  
17 square foot unit. However, a family with parents working full-



1 time and earning the minimum wage of \$10.10 per hour cannot even  
2 afford such a small studio because it is over fifty per cent of  
3 their net take home pay. Additionally, for those classified as  
4 low-income, which is commonly defined as eighty per cent of the  
5 area median income, or \$67,680 for an individual and \$77,360 for  
6 a couple in the City and County of Honolulu, existing housing is  
7 far from affordable. These low-income individuals, many of whom  
8 work in the tourism industry, are usually left with few housing  
9 options and thus, portable home villages like Kahauiki Village  
10 on Sand Island are filled with low-income working families.

11 The legislature finds that continued support for tiny homes  
12 or kauhale is needed to ensure that homes for low-income working  
13 families are available as a pathway out of homelessness until  
14 the market creates permanent homes for them.

15 The purpose of this Act is to:

- 16 (1) Ensure the continuity and existence of the low-income  
17 tiny home projects developed pursuant to the  
18 governor's 2015 or 2018 emergency proclamations  
19 related to homelessness or their supplemental  
20 proclamations by exempting the projects from certain



1 laws for the duration of the underlying state land  
2 leases; and

3 (2) Establish the low-income tiny home village pilot  
4 program to provide shelter and certain services to  
5 low-income and homeless individuals.

6 SECTION 2. All low-income rentals, tiny home villages, or  
7 kauhale, developed on state land pursuant to the governor's 2015  
8 or 2018 emergency proclamations on homelessness or their  
9 supplemental proclamations, shall be exempt from the following  
10 provisions of the Hawaii Revised Statutes for the duration of  
11 the underlying state lease; provided that the low-income  
12 rentals, tiny home villages, and kauhale are safe, sanitary, and  
13 suitable for human habitation:

14 (1) Chapter 46, Hawaii Revised Statutes, county  
15 organization and administration as any county  
16 ordinance, rule, regulation, law, or provision in any  
17 form applies to any county permitting, licensing,  
18 zoning, variance, processes, procedures, fees, or any  
19 other requirements that hinder, delay, or impede the  
20 purpose of this Act;



- 1       (2) Chapter 89, Hawaii Revised Statutes, collective
- 2       bargaining in public employment;
- 3       (3) Chapter 89C, Hawaii Revised Statutes, public officers
- 4       and employees excluded from collective bargaining;
- 5       (4) Section 102-2, Hawaii Revised Statutes, contracts for
- 6       concessions in government buildings; bid requirements;
- 7       (5) Section 103-2, Hawaii Revised Statutes, general fund;
- 8       (6) Section 103-53, Hawaii Revised Statutes, contracts
- 9       with the State or counties; tax clearances,
- 10      assignments;
- 11      (7) Section 103-55, Hawaii Revised Statutes, wages, hours,
- 12      and working conditions of employees of contractors
- 13      performing services;
- 14      (8) Chapter 103D, Hawaii Revised Statutes, Hawaii public
- 15      procurement code;
- 16      (9) Chapter 103F, Hawaii Revised Statutes, purchases of
- 17      health and human services;
- 18      (10) Chapter 104, Hawaii Revised Statutes, wages and hours
- 19      of employees on public works;
- 20      (11) Sections 105-1 to 105-10, Hawaii Revised Statutes, use
- 21      of government vehicles, limitations;



- 1 (12) Section 127A-30, Hawaii Revised Statutes, rental or  
2 sale of essential commodities during a state of  
3 emergency; prohibition against price increases;
- 4 (13) Chapter 205, Hawaii Revised Statutes, land use  
5 commission;
- 6 (14) Chapter 205A, Hawaii Revised Statutes, coastal zone  
7 management;
- 8 (15) Chapter 206E, Hawaii Revised Statutes, Hawaii  
9 community development authority;
- 10 (16) Chapter 343, Hawaii Revised Statutes, environmental  
11 impact statements;
- 12 (17) Section 464-4, Hawaii Revised Statutes, public works  
13 required to be supervised by certain professionals;  
14 and
- 15 (18) Sections 601-1.5, 708-817, 708-818, 708-820,  
16 708-830.5, and 708-840, Hawaii Revised Statutes, to  
17 the extent that these sections contain provisions for  
18 the suspension, tolling, extension, or granting of  
19 relief from deadlines, time schedules, or filing  
20 requirements in civil, criminal, or administrative  
21 matters before the courts of the State or to the



1 extent that these sections contain provisions for  
2 criminal penalties that are automatically heightened  
3 by reason of any declared disaster or emergency.

4 SECTION 3. (a) There is established the low-income tiny  
5 home village pilot program within the department of human  
6 services to provide long-term housing and certain services to  
7 homeless individuals and individuals whose income is at or below  
8 fifty per cent of the area median income for the State.

9 (b) The tiny home villages developed under the pilot  
10 program may have shared facilities, including restrooms and  
11 kitchens, to promote shared responsibility and to reduce cost  
12 and infrastructure needs.

13 (c) The department of human services shall:

14 (1) In consultation with the Hawaii housing finance and  
15 development corporation and the counties, administer  
16 and oversee the operation of the low-income tiny home  
17 village pilot program;

18 (2) Use the Tier 1 public lands identified in the office  
19 of planning and sustainable development's 2018  
20 Affordable Rental Housing Report and Ten-Year Plan to  
21 determine the amount of funds that is needed per



1 county to develop the Tier 1 public lands into low-  
2 income rentals;

3 (4) Devise a plan for the development of Tier 1 public  
4 lands into low-income rentals and the management  
5 thereof;

6 (5) Identify sources of funding for the development and  
7 management of low-income rentals; and

8 (6) Identify legal issues that may need to be addressed by  
9 the state or county legislative bodies.

10 SECTION 4. For purposes of this Act:

11 "Homeless" has the same meaning as defined in section 346-  
12 361, Hawaii Revised Statutes.

13 "Low-income rental" means a rental residential unit for  
14 households earning below eighty per cent of the area median  
15 income.

16 SECTION 5. The department of human services shall submit a  
17 report of its findings and recommendations on the low-income  
18 tiny home village pilot program, including any proposed  
19 legislation, to the legislature no later than twenty days prior  
20 to the convening of the regular session of 2023.



1           SECTION 6.   This Act shall take effect on December 31,  
2   2050.





**Report Title:**

Low-Income Tiny Home Village Pilot Program; Department of Human Services; Hawaii Housing Finance and Development Corporation

**Description:**

Ensures the continued existence of the Low-Income Tiny Home Projects developed pursuant to the Governor's 2015 or 2018 Emergency Proclamations related to homelessness or their supplemental proclamations, by exempting the projects from certain laws for the duration of the underlying state land leases. Establishes the Low-Income Tiny Home Village Pilot Program to provide shelter and certain services to low-income and homeless individuals. Effective 12/31/2050. (SD1)

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

