

JAN 19 2024

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 there is a need to
2 encourage collaborative intergovernmental approaches to
3 addressing the challenges of homelessness, including ensuring
4 the health and safety of residents on state- and federally-owned
5 lands, such as those managed by the United States Army Garrison
6 Hawaii. Debris left behind by vacated homeless encampments
7 poses potential environmental and public health hazards,
8 including an increased risk of wildfires. Additionally, active
9 encampments in high-risk fire zones present a further threat to
10 the encampment's residents and surrounding communities.

11 The purpose of this Act is to establish an
12 intergovernmental homelessness task force within the department
13 of transportation to identify and clean up vacated encampments
14 located on land managed by the United States Army Garrison
15 Hawaii.



1 SECTION 2. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 INTERGOVERNMENTAL AGREEMENTS ON VACATED ENCAMPMENT CLEAN UPS

6 § -1 **Definitions.** For the purposes of this chapter:

7 "Homeless services provider agency" means a non-profit or
8 governmental organization that provides services and support to
9 individuals experiencing homelessness in a specific region.

10 "State agency" means any department, division, board,
11 commission, or other entity of the State of Hawaii as
12 established by law.

13 "Vacated encampment" means a homeless encampment that has
14 been abandoned for a period of time as determined by the United
15 States Army Garrison Hawaii in consultation with the relevant
16 homeless services provider agency.

17 § -2 **Task force; established.** (a) There is established
18 a vacated encampment clean up task force within the department
19 of transportation, which shall identify the potential entities
20 that may enter into intergovernmental agreements to coordinate



1 the clean up of vacated encampments located on lands managed by
2 the United States Army Garrison Hawaii.

3 (b) The task force shall be chaired by the department of
4 transportation's homelessness coordinator, who shall determine
5 the members of the task force. In determining task force
6 members, the chair shall consider inviting the following members
7 or their designees:

8 (1) The chairperson of board of land and natural
9 resources,;

10 (2) A representative from the United States Army Garrison
11 Hawaii;

12 (3) The governor's coordinator on homelessness;

13 (4) A representative from a homeless services provider
14 agency, to be appointed by the chair of the task force
15 in consultation with the governor's coordinator on
16 homelessness; and

17 (5) Any other members, including representatives from
18 state agencies, stakeholders, or advocates, as
19 recommended by the majority of the task force.

20 § -3 **Clean up activities; requirements.** The entities
21 represented on the task force shall enter into intergovernmental



1 agreements to coordinate clean up activities, including entering
2 into any cost-sharing arrangements necessary with United States
3 Army Garrison Hawaii to conduct clean up activities, at vacated
4 encampments located on land managed by the United States Army
5 Garrison Hawaii

6 (b) When conducting clean up activities, the United States
7 Army Garrison Hawaii shall notify the state agency with the
8 closest jurisdiction to United States Army Garrison Hawaii land
9 and any elected officials representing the district in which the
10 land is located within forty-eight hours of identifying a
11 vacated encampment on its property;

12 (c) Clean up activities shall only be initiated on
13 encampments confirmed to be vacated and shall prioritize the
14 removal of biohazards, hazardous materials, and items posing
15 immediate public health or safety risks, including materials
16 that could be a fire hazard.

17 (d) Clean up activities shall only commence after the
18 United States Army Garrison Hawaii, in consultation with the
19 representative of the homeless services provider agency, has
20 determined that an appropriate period of vacancy has elapsed.



1 § -4 **Vacated encampments; period of vacancy;**
2 **determination.** The United States Army Garrison Hawaii, in
3 consultation with the relevant homeless services provider
4 agency, shall consider the following factors when determining if
5 an appropriate period of vacancy has elapsed for an encampment
6 to be deemed a vacated encampment:

- 7 (1) Public health risks;
- 8 (2) Environmental concerns;
- 9 (3) Potential for reoccupation; and
- 10 (4) Availability of alternative housing options for
11 individuals previously occupying the encampment."

12 SECTION 3. There is appropriated out of the general
13 revenues of the State of Hawaii the sum of \$5,000,000 or so much
14 thereof as may be necessary for fiscal year 2024-2025 for the
15 purposes of this Act.

16 The sum appropriated shall be expended by the department of
17 land and natural resources for the purposes of this Act.

18 SECTION 4. There is appropriated out of the general
19 revenues of the State of Hawaii the sum of \$5,000,000 or so much
20 thereof as may be necessary for fiscal year 2024-2025 for the
21 purposes of this Act.



1 The sum appropriated shall be expended by the department of
2 transportation for the purposes of this Act.

3 SECTION 5. In accordance with section 9 of article VII of
4 the Hawaii State Constitution and sections 37-91 and 37-93,
5 Hawaii Revised Statutes, the legislature has determined that the
6 appropriations contained in H.B. No. , will cause the state
7 general fund expenditure ceiling for fiscal year 2024-2025 to be
8 exceeded by \$ or per cent. In addition, the
9 appropriations contained in this Act will cause the general fund
10 expenditure ceiling for fiscal year 2024-2025 to be further
11 exceeded by \$10,000,000 or per cent. The combined total
12 amount of general fund appropriations contained in only these
13 two Acts will cause the state general fund expenditure ceiling
14 for fiscal year 2024-2025 to be exceeded by
15 \$ or per cent. The reasons for exceeding the
16 general fund expenditure ceiling are that:

- 17 (1) The appropriations made in this Act are necessary to
18 serve the public interest; and
- 19 (2) The appropriations made in this Act meet the needs
20 addressed by this Act.

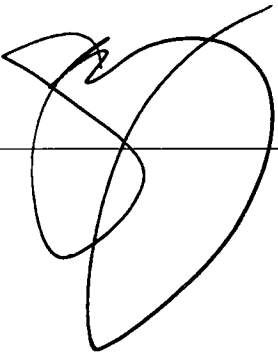
21 SECTION 6. This Act shall take effect on July 1, 2024.



S.B. NO. 2854

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INTRODUCED BY:

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S.B. NO. 2854

Report Title:

Intergovernmental Agreements on Vacated Encampments Clean Up;
Task Force; Vacated Encampments; Clean Up; Appropriation;
Expenditure Ceiling

Description:

Establishes a vacated encampment clean up task force to identify potential entities to enter into intergovernmental agreements to coordinate the clean up of vacated encampments located on lands managed by United States Army Garrison Hawaii. Appropriates funds.

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

