
A BILL FOR AN ACT

RELATING TO CLEAN AND SOBER HOMES.

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

1 SECTION 1. Section 46-4, Hawaii Revised Statutes, is
2 amended by amending subsection (d) to read as follows:
3 "(d) Neither this section nor any other law, county
4 ordinance, or rule shall prohibit group living in facilities
5 with eight or fewer residents for purposes or functions that are
6 licensed, certified, registered, or monitored by the State;
7 provided that a resident manager or a resident supervisor and
8 the resident manager's or resident supervisor's family shall not
9 be included in this resident count~~[-]~~; provided further that a
10 clean and sober home, as defined under section 321-191, with
11 five or more residents shall require a conditional use permit
12 issued by a county agency. These group living facilities shall
13 meet all applicable county requirements not inconsistent with
14 the intent of this subsection, including but not limited to
15 building height, setback, maximum lot coverage, parking, and
16 floor area requirements."



1 SECTION 2. Section 321-193.7, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§321-193.7 Clean and sober homes registry.** (a) The
4 department shall establish a [~~voluntary~~] mandatory clean and
5 sober homes registry to assist persons recovering from substance
6 abuse to have a safe, clean, and sober environment that supports
7 their recovery. The department shall establish procedures and
8 standards by which homes will be allowed to be listed on the
9 registry, including but not limited to:

- 10 (1) Organizational and administrative standards;
- 11 (2) Fiscal management standards;
- 12 (3) Operation standards;
- 13 (4) Recovery support standards;
- 14 (5) Property standards; and
- 15 (6) Good neighbor standards.

16 (b) Upon review and approval of a home operator's
17 application, the department shall issue a certificate of
18 registration that shall specify:

- 19 (1) The name of the holder of the registration;
- 20 (2) The address to which the registration applies;



1 (3) The maximum number of persons to reside in the home;

2 and

3 (4) The period for which the registration shall be valid.

4 An owner, an operator, or a landlord shall not hold the property

5 out to be or advertise the property to be a "registered clean

6 and sober home" unless the home is registered and in good

7 standing with the clean and sober homes registry.

8 (c) The certificate of registration shall be publicly

9 displayed at the home.

10 (d) The certificate of registration shall not be

11 transferred to a new owner or operator, or to an address other

12 than as specified on the certificate of registration.

13 (e) Nothing in this section shall relieve a certificate

14 holder from compliance with other pertinent statutory

15 provisions, nor shall a certificate holder be relieved from

16 compliance with other applicable provisions of federal, state,

17 or county laws, ordinances, or rules.

18 (f) The department may revoke the certificate of

19 registration if a home ceases to meet established standards or

20 any other applicable federal, state, or county law, ordinance,

21 or rule.



1 (g) The department may immediately revoke a certificate of
2 registration if there are reasonable grounds to believe that the
3 continued operation of the home presents an immediate danger to
4 residents of the home or the general public.

5 (h) Any revocation of the certificate of registration
6 shall be made in writing to the certificate holder.

7 (i) The department shall maintain a listing of all
8 registered clean and sober homes on its website.

9 (j) The department shall establish a toll-free telephone
10 number to receive complaints regarding clean and sober homes.
11 The department and pertinent county agencies shall work together
12 to resolve problems and complaints received by either the State
13 or counties regarding clean and sober homes. The department
14 shall educate the public on:

- 15 (1) Clean and sober homes;
16 (2) The department's registry of clean and sober homes;
17 (3) State and county procedures pertaining to clean and
18 sober homes; and
19 (4) Contact information and procedures for inquiries and
20 complaints related to clean and sober homes.



1 (k) The department shall conduct unannounced visits and
2 inspections for any home listed on the department's registry of
3 clean and sober homes on an annual basis and at such intervals
4 as determined by the department.

5 [~~(k)~~] (l) This section shall not be construed to abrogate
6 an individual's right to privacy. Unless otherwise provided by
7 law, the department shall implement sufficient protections to
8 ensure that the identity of a clean and sober home resident
9 remains confidential and that information collected pursuant to
10 this section is used solely for the purposes of this section.

11 [~~(l)~~] (m) The department shall adopt rules under chapter
12 91 as necessary to carry out the purposes of this section."

13 SECTION 3. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

16
INTRODUCED BY: _____



JAN 23 2025



H.B. NO. 1392

Report Title:

Clean and Sober Homes; Conditional Use Permit; Department of Health; Mandatory Clean and Sober Homes Registry; Inspections

Description:

Requires clean and sober homes with five or more residents to obtain a conditional use permit issued by a county agency. Requires, rather than permits, the Department of Health to establish a clean and sober homes registry and requires the Department to conduct unannounced visits and inspections of homes on the registry.

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

