
A BILL FOR AN ACT

RELATING TO PUBLIC ASSISTANCE.

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

1 SECTION 1. Section 346-29, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) No applicant or recipient who is found guilty of
4 fraudulently misrepresenting residence to obtain assistance in
5 two or more states shall be entitled to public assistance under
6 this chapter for ten years from date of conviction. No
7 applicant or recipient shall be entitled to public assistance
8 under this chapter who is a resident of the State for less than
9 four months, or who is a fugitive felon or who is in violation
10 of a condition of probation or parole or has sufficient income
11 or other resources to provide a standard above that provided in
12 this chapter, or who is an inmate of any public institution,
13 except that any inmate of a public institution who is otherwise
14 eligible for medical assistance and who has been determined by
15 the medical director of the institution as having a major
16 illness or medical condition requiring the provision of medical
17 care outside of the institution may receive assistance under



1 this chapter. An inmate of a public institution or resident of
2 a medical institution may apply for assistance to begin after
3 the inmate's discharge from the institution. To enforce this
4 subsection, the department shall examine each list of inmates
5 within, or newly admitted to, a correctional facility in the
6 State that is submitted to the department by the director of
7 public safety pursuant to section 353-12.5, regardless of the
8 nature of the offense for which an inmate is incarcerated or the
9 duration of incarceration, to determine whether an inmate is
10 eligible for public assistance under this chapter.

11 As used in this section, "resident" means a person who is
12 physically present in the State at the time the person claims to
13 have established the person's domicile in the State and shows
14 the person's intent is to make Hawaii the person's primary
15 residence."

16 SECTION 2. Section 356D-42, Hawaii Revised Statutes, is
17 amended to read as follows:

18 "§356D-42 Housing; tenant selection. (a) The authority
19 shall select tenants upon the basis of those in greatest need
20 for the particular housing, subject to the following limitations
21 and preferences:



- 1 (1) The authority may limit the tenants of any state low-
2 income housing project to classes of persons when
3 required by federal law or regulation as a term or
4 condition of obtaining assistance from the federal
5 government; provided that not less than fifty per cent
6 of available units shall be for applicants without
7 preference and up to fifty per cent of available units
8 shall be for applicants with preference;
- 9 (2) Within the priorities established by the authority
10 recognizing need, veterans with a permanent disability
11 of ten per cent or more, as certified by the United
12 States Department of Veterans Affairs, and their
13 dependent parents, if any. The deceased veteran's
14 widow or widower shall be given first preference.
15 Parents of veterans shall not use the veteran status
16 of their adult child as a basis for preference; and
- 17 (3) Subject to any limitations set by federal law or
18 regulation, the authority shall not select as a
19 tenant, and may terminate the tenancy of, any person
20 if the person or any household member owns or acquires
21 a home within the State[-]i



1 provided that the authority shall not select as a tenant any
2 applicant who has not been a resident for at least four months.

3 (b) The authority shall adopt rules pursuant to chapter 91
4 to carry out the purposes of this section.

5 (c) As used in this section, "resident" means a person who
6 is physically present in the State at the time the person claims
7 to have established the person's domicile in the State and shows
8 the person's intent is to make Hawaii the person's primary
9 residence."

10 SECTION 3. This Act does not affect rights and duties that
11 matured, penalties that were incurred, and proceedings that were
12 begun before its effective date.

13 SECTION 4. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 5. This Act shall take effect upon its approval.

16 INTRODUCED BY: Kal Rhoad

JAN 27 2015



H.B. NO. 1045

Report Title:

Public Assistance; Residency Requirement

Description:

Requires an applicant or recipient of public assistance to be a resident of the State for at least 4 months.

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