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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. (a) There is established within the department  
2 of human services an ohana zones program. The program shall  
3 provide housing and supportive services to individuals  
4 experiencing homelessness under a housing first paradigm with  
5 the goal of alleviating intergenerational poverty. A minimum of  
6 eight thousand homes shall be completed within two years after  
7 the effective date of this Act or two years after the date the  
8 governor makes the land available for the ohana zones program,  
9 whichever occurs later.

10           (b) Each ohana zone shall:

11           (1) Be a minimum of two acres in size and contain no more  
12 than one hundred homes;

13           (2) Have a community center, which the department shall  
14 make reasonable efforts to complete at a cost of  
15 \$100,000 for each community center, that includes:

16           (A) Communal showers;

17           (B) Bathrooms;



- 1 (C) Provisions for other hygiene needs;
- 2 (D) Social health care and wrap-around services;
- 3 (E) A kitchen;
- 4 (F) Lockers for residents' valuables;
- 5 (G) Mailboxes for incoming mail; and
- 6 (H) A multipurpose room for residential meetings and
- 7 supportive services;
- 8 (3) Have systems to dispose of trash and other waste;
- 9 (4) Have available outreach, counseling, and diversion
- 10 services for substance abuse treatment; and
- 11 (5) Provide program participants with lease and tenant
- 12 protections as provided by law and civil legal
- 13 services.
- 14 (c) Each home within the ohana zone shall adhere to the
- 15 following requirements:
- 16 (1) The construction cost for each home shall not exceed
- 17 \$15,000;
- 18 (2) Each home shall have at least three hundred square
- 19 feet of living space, electricity with lighting, and a
- 20 minimum of eight standard electrical outlets;



1 (3) Pets shall be permitted in each home pursuant to any  
2 rules the department of human services adopts pursuant  
3 to chapter 91, Hawaii Revised Statutes, as well as any  
4 applicable ohana zone policies and procedures; and

5 (4) Each home shall be a private dwelling for an  
6 individual or family experiencing homelessness;  
7 provided that individuals who are unrelated shall not  
8 be required to share a home.

9 (d) Individuals or families experiencing homelessness  
10 shall be charged the cost of rent, utilities, and supportive  
11 services as follows:

12 (1) Individuals and families experiencing homelessness  
13 that have no income shall not be charged;

14 (2) Individuals who have income but are experiencing  
15 homelessness shall not be charged more than twenty per  
16 cent of the individual's gross monthly income; and

17 (3) Families that have income but are experiencing  
18 homelessness shall not be charged more than twenty per  
19 cent of the family's aggregate monthly income, less  
20 \$100 per month for each dependent family member that  
21 resides in the home;



1 provided that the department may adjust these amounts for  
2 inflation.

3 (e) The department of human services shall:

4 (1) Adopt rules pursuant to chapter 91, Hawaii Revised  
5 Statutes, as well as policies and procedures, for the  
6 purpose of qualifying applicants for residency under  
7 the ohana zones program; provided that:

8 (A) Qualification rules, policies, and procedures  
9 shall be consistent with the rules, policies, and  
10 procedures of the United States Department of  
11 Housing and Urban Development's Coordinated Entry  
12 System;

13 (B) Qualification procedures provide for rapid  
14 admission, to the extent possible; and

15 (C) Qualification procedures use the least  
16 restrictive standards practicable;

17 (2) Establish rules for residents of the ohana zones that  
18 shall be reasonably consistent with housing first  
19 principles and shall make reasonable efforts to allow  
20 residents to participate in self-government;



1 (3) Collaborate with appropriate departmental personnel  
2 and state and county law enforcement agencies to  
3 provide security for the ohana zones program; and

4 (4) Work with appropriate agencies to ensure that  
5 residents have reasonable access to public  
6 transportation.

7 (f) All state and county permitting and construction fees  
8 shall be waived for the homes and homeless village structures  
9 constructed pursuant to this Act.

10 (g) The department, in consultation with people  
11 experiencing homelessness, shall establish no later than  
12 December 31, 2018, the following:

13 (1) The criteria that the department will use to evaluate  
14 potential ohana zone locations;

15 (2) A monthly timetable of milestones that the department  
16 expects to meet in establishing one or more ohana  
17 zones over the course of the first two years following  
18 the effective date of this Act;

19 (3) The specific, measurable, attainable, reasonable, and  
20 time-based performance measures that the department



1 expects to meet in establishing one or more ohana  
 2 zones;

3 (4) The evaluation criteria and process that the  
 4 department intends to use each year when reviewing the  
 5 success and sustainability of the ohana zones; and

6 (5) The monitoring and oversight controls that the  
 7 department will have over the ohana zones to identify,  
 8 address, and prevent possible fraud, waste, and abuse  
 9 and ensure compliance with local, state, and federal  
 10 laws.

11 (h) The department shall establish an ohana zone at one or  
 12 more of the sites approved for a ohana zone no later than June  
 13 30, .

14 SECTION 2. Chapter 346, Hawaii Revised Statutes, is  
 15 amended by adding a new section to part XVII to be appropriately  
 16 designated and to read as follows:

17 "§346- Governor's coordinator on homelessness;  
 18 establishment; responsibilities. There is established within  
 19 the department for administrative purposes only, a full-time  
 20 governor's coordinator on homelessness to ."



1 SECTION 3. Chapter 662, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4 "§662- Limited liability for providing services to  
5 individuals experiencing homelessness. No public entity or  
6 public employee shall be liable to any person for injury or  
7 damage caused by a public employee providing services to  
8 individuals experiencing homelessness; provided that the  
9 employee was acting in good faith and within the scope of the  
10 employee's functions and duties as an employee of the State."

11 SECTION 4. Chapter 662D, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14 "§662D- Limited liability for volunteers for the  
15 government entity providing services to individuals experiencing  
16 homelessness. (a) No volunteer for a governmental entity shall  
17 be liable to any person for injury or damage caused by a  
18 volunteer providing services to individuals experiencing  
19 homelessness; provided that the volunteer was acting in good  
20 faith and within the scope of the volunteer's functions and  
21 duties.



1        (b) No nonprofit organization or nonprofit corporation  
 2 that provides volunteers to a governmental entity providing  
 3 services to individuals experiencing homelessness shall be  
 4 liable to any person for injury or damage caused by the  
 5 volunteer; provided that the volunteer was acting in good faith  
 6 and within the scope of the volunteer's functions and duties."

7        SECTION 5. There is appropriated out of the general  
 8 revenues of the State of Hawaii the sum of \$                    or so much  
 9 thereof as may be necessary for fiscal year 2018-2019 for the  
 10 establishment of the ohana zones program and expenses related to  
 11 facility construction, provision of services, staffing, and  
 12 administrative costs.

13        The sum appropriated shall be expended by the department of  
 14 human services for the purposes of this Act.

15        SECTION 6. There is appropriated out of the general  
 16 revenues of the State of Hawaii the sum of \$                    or so much  
 17 thereof as may be necessary for fiscal year 2018-2019 for the  
 18 Hawaii public housing authority to provide public housing  
 19 improvements and renovations statewide.

20        The sum appropriated shall be expended by the Hawaii public  
 21 housing authority for the purposes of this Act.



1 SECTION 7. There is appropriated out of the general  
 2 revenues of the State of Hawaii the sum of \$ or so much  
 3 thereof as may be necessary for fiscal year 2018-2019 for the  
 4 department of human services to continue to administer housing  
 5 first programs for chronically homeless individuals in the  
 6 State.

7 The sum appropriated shall be expended by the department of  
 8 human services for the purposes of this Act.

9 SECTION 8. There is appropriated out of the general  
 10 revenues of the State of Hawaii the sum of \$ or so much  
 11 thereof as may be necessary for fiscal year 2018-2019 for the  
 12 department of human services to continue to administer the rapid  
 13 rehousing program to assist homeless individuals or families in  
 14 obtaining or maintaining permanent housing and to cover housing  
 15 stabilization services and administrative costs to operate the  
 16 program.

17 The sum appropriated shall be expended by the department of  
 18 human services for the purposes of this Act.

19 SECTION 9. There is appropriated out of the general  
 20 revenues of the State of Hawaii the sum of \$ or so much  
 21 thereof as may be necessary for fiscal year 2018-2019 for the



1 Hawaii public housing authority to administer a state rent  
 2 supplement pilot program to assist one hundred currently  
 3 homeless families with minor children or families with minor  
 4 children at imminent risk of homelessness due to domestic  
 5 violence in obtaining or maintaining permanent housing, by  
 6 providing time-limited rental assistance of up to \$            per  
 7 month and financial case management by a United States  
 8 Department of Housing and Urban Development certified financial  
 9 counseling organization.

10        The sum appropriated shall be expended by the Hawaii public  
 11 housing authority for the purposes of this Act.

12        SECTION 10. There is appropriated out of the general  
 13 revenues of the State of Hawaii the sum of \$            or so much  
 14 thereof as may be necessary for fiscal year 2018-2019 for the  
 15 department of human services to continue to administer the  
 16 outreach services program to homeless persons, including but not  
 17 limited to individuals and families with children and  
 18 unaccompanied homeless youth, including \$            for civil  
 19 legal services.

20        The sum appropriated shall be expended by the department of  
 21 human services for the purposes of this Act.



1 SECTION 11. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$ or so much  
3 thereof as may be necessary for fiscal year 2018-2019 for the  
4 department of health to continue to administer outreach,  
5 counseling, and diversion for unsheltered homeless persons  
6 experiencing substance abuse, including \$ to continue  
7 administering the law enforcement assisted diversion pilot  
8 program.

9 The sum appropriated shall be expended by the department of  
10 health for the purposes of this Act.

11 SECTION 12. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$ or so much  
13 thereof as may be necessary for fiscal year 2018-2019 for the  
14 department of human services to continue to administer the  
15 family assessment center for homeless families.

16 The sum appropriated shall be expended by the department of  
17 human services for the purposes of this Act.

18 SECTION 13. New statutory material is underscored.

19 SECTION 14. This Act shall take effect on July 1, 3000.



**Report Title:**

DHS; Homelessness; Ohana Zones; Governor's Coordinator on Homelessness; Limited Liability; Appropriations

**Description:**

Requires the Governor to identify available state land for the establishment of ohana zones where homeless persons may reside and sets preliminary milestones that shall be met by the Department of Human Services. Provides limitation on liability for government entities and volunteers providing services. Requires the Hawaii Public Housing Authority to perform public housing improvements and renovations statewide and create a rent supplement pilot program. Appropriates funds to the Department of Human Services, Department of Health, and Hawaii Public Housing Authority for various programs and services to address homelessness. (SB2501 HD1)

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

