

S.B. NO. 2783

JAN 24 2018

A BILL FOR AN ACT

RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

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

1 SECTION 1. Section 356D-6.5, Hawaii Revised Statutes, is
2 amended by amending subsections (a) and (b) to read as follows:

3 "(a) Smoking shall be prohibited in any public housing
4 project, elder or elderly [~~household,~~] housing, as defined in
5 section 356D-1, or state low-income housing project, as defined
6 in section 356D-51, within:

7 (1) Each individual housing unit;

8 (2) All common areas;

9 (3) Community facilities; and

10 (4) [~~Twenty~~] Twenty-five feet from each individual
11 building and each administrative office building of
12 the public housing project, elder or elderly housing,
13 or state low-income housing project, and from any
14 entrance, exit, window, and ventilation intake that
15 serves an enclosed or partially enclosed area.

16 (b) Notwithstanding subsection (a), the authority may
17 designate one or more permissible smoking areas at least
18 [~~twenty~~] twenty-five feet away from any residential or other

S.B. NO. 2783

1 building, or any greater distance away as may ensure that the
2 secondhand smoke does not infiltrate any dwelling unit[-] or
3 office."

4 SECTION 2. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY:

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BY REQUEST

S.B. NO. 2783

Report Title:

Public Housing; State Low-income Housing; Elder or Elderly Housing; Smoking Prohibited

Description:

Prohibits smoking in and around public housing projects and state low-income housing projects under the jurisdiction of the Hawaii Public Housing Authority and in and around elder or elderly housing.

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

JUSTIFICATION SHEET

DEPARTMENT: Hawaii Public Housing Authority

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII PUBLIC HOUSING AUTHORITY.

PURPOSE: To align the smoking prohibition statute of the Hawaii Public Housing Authority (HPHA) with the U.S. Department of Housing and Urban Development's (HUD) "smoke-free" policy.

MEANS: Amend section 356D-6.5(a) and (b), Hawaii Revised Statutes.

JUSTIFICATION: Effective February 3, 2017, HUD instituted its final rule requiring public housing agencies (PHA) to implement a "smoke-free" policy. While a smoke-free policy or statute for the HPHA currently exists, changes need to be made to abide by Federal standards of no smoking up to 25 feet away from public housing and administrative office buildings.

Impact on the public: There should be a positive impact on public health.

Impact on the department and other agencies: None.

GENERAL FUNDS: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: HMS 220; HMS 229.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.