THE SENATE THIRTIETH LEGISLATURE, 2019 STATE OF HAWAII S.B. NO. 635

JAN 1 8 2019

A BILL FOR AN ACT

PROPOSING AMENDMENTS TO ARTICLE IX, SECTION 5, OF THE CONSTITUTION OF THE STATE OF HAWAII.

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

1 SECTION 1. The legislature finds that the preamble to the 2 Constitution of the State of Hawaii reserves "the right to 3 control our destiny, to nurture the integrity of our people and 4 culture, and to preserve the quality of life that we desire." Article I, section 2, of the Constitution of the State of Hawaii 5 6 states that "[a]ll persons are free by nature and are equal in 7 their inherent and inalienable rights" and "[a]mong these rights 8 are the enjoyment of life, liberty and the pursuit of happiness, 9 and the acquiring and possessing of property." In order to 10 preserve these rights, the State must take bold action. The 11 quality of life is diminishing for many residents, particularly 12 the seventy per cent of residents in need of housing whose 13 incomes are at or below eighty per cent of the area median 14 income and who find it exceptionally difficult to buy or rent a 15 home for their families.



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1 The legislature further finds that although Hawaii has had 2 unmet housing needs for decades, today the State is in crisis 3 mode as more people face the challenge of moving out of state or 4 living in multi-household housing to avoid homelessness. The 5 entire State, government at all levels, the private sector, non-6 profit agencies, and individuals, must focus on creating the 7 supply to meet the demand for housing for all residents. A 8 quaranteed right to housing demonstrates the State's commitment 9 to housing as a basic right and preserves quality of life. 10 Housing for all residents should be as important a priority as 11 the right to a clean and healthful environment, which is already 12 enshrined in the state constitution.

13 The purpose of this Act is to propose an amendment to 14 article IX, section 5, of the Constitution of the State of 15 Hawaii to require the State to assure that each resident has 16 access to housing, which will become operative only upon 17 legislative action to provide standards and criteria for 18 assuring access to housing.

19 SECTION 2. Article IX, section 5, of the Constitution of20 the State of Hawaii is amended to read as follows:

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"HOUSING, [SLUM CLEARANCE,] DEVELOPMENT



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1	AND REHABILITATION
2	Section 5. The State shall assure that each resident of
3	the State has access to housing. The legislature shall provide
4	standards and criteria to accomplish the foregoing. The State
5	shall have the power to provide for, or assist in, housing,
6	[slum clearance] the elimination of blighted areas and the
7	development or rehabilitation of substandard areas. The
8	exercise of such power is deemed to be for a public use and
9	purpose."
10	SECTION 3. The question to be printed on the ballot shall
11	be as follows:
12	"Should the Constitution of the State of Hawaii be amended
13	to require that the State assure that each resident of the
14	State has access to housing, subject to standards and
15	criteria to be provided by the legislature?"
16	SECTION 4. Constitutional material to be repealed is
17	bracketed and stricken. New constitutional material is
18	underscored.
19	SECTION 5. This amendment shall take effect upon
20	compliance with article XVII, section 3, of the Constitution
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1 of the State of Hawaii.

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INTRODUCED BY:





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Report Title:

Constitutional Amendment; Access to Housing

Description:

Proposes an amendment to article IX, section 5, of the Constitution of the State of Hawaii, to require the State to assure that each resident of the State has access to housing, subject to standards and criteria to be provided by the legislature.

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