

JAN 17 2020

A BILL FOR AN ACT

RELATING TO HOMELESSNESS.

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

1 SECTION 1. The legislature finds that "kauhale"
2 traditionally means a Hawaiian village and houses members of an
3 ohana, whether related by blood or not, who treat each other as
4 extended family. The concept of kauhale maximizes the sense of
5 community by recognizing and celebrating an individual's skills,
6 knowledge, and experiences with others.

7 The legislature further finds that this traditional housing
8 model, which is grounded in Hawaiian culture and values,
9 presents an opportunity to improve the lives of people
10 experiencing homelessness. While significant strides have been
11 made, current attempts to address homelessness in Hawaii remain
12 insufficient. Hawaii continues to have the highest number of
13 homeless individuals per capita of any state in the nation. The
14 city and county of Honolulu, which has the highest number of
15 homeless individuals in the State, has seen the number of
16 unsheltered homeless individuals rise over the past five years
17 and the number of people in shelters decline during the same



1 period, despite increased investment in shelters and
2 enforcement.

3 The legislature also finds that the kauhale model has the
4 potential to serve homeless individuals in a way that existing
5 programs are currently unable to, with the goal of improving the
6 health and well-being of homeless individuals.

7 The purpose of this Act is to establish the kauhale pilot
8 program to provide shelter and other services to homeless
9 individuals.

10 SECTION 2. For purposes of this Act, "homeless" has the
11 same meaning as in section 346-361, Hawaii Revised Statutes.

12 SECTION 3. (a) There is established the kauhale pilot
13 program to provide shelter and certain services to homeless
14 individuals. A kauhale shall:

- 15 (1) Consist of tiny homes priced at no more than \$25,000
16 per unit;
- 17 (2) Have common areas that are designed to encourage
18 community engagement with residents;
- 19 (3) Have shared facilities, including restrooms and
20 kitchens, to reduce cost and infrastructure needs;



1 (4) Accept residents coping with substance abuse who are
2 receiving treatment for substance abuse; and

3 (5) House residents that are chronically homeless, as
4 defined by the United States Department of Housing and
5 Urban Development.

6 (b) The lieutenant governor shall designate the Hawaii
7 housing finance and development corporation and other
8 appropriate agencies, including an agency with specific
9 expertise in construction development and any state agency with
10 specific expertise in administering homeless services and
11 housing services, to develop and implement the kauhale pilot
12 program. The lieutenant governor, through these designated
13 agencies, shall determine the number and locations of a kauhale,
14 which shall be situated on public or private lands; provided
15 that the designated agencies shall identify at least six sites
16 on Oahu, and at least one site on each of the islands of Hawaii,
17 Kauai, and Maui.

18 (c) The agencies designated pursuant to subsection (b) may
19 coordinate with public or private entities, as appropriate, to
20 develop and implement the kauhale pilot program; provided that
21 if any public land under the jurisdiction of a state or county



1 agency is determined to be suitable for use as a kauhale, the
2 designated agencies shall:

3 (1) Work with the appropriate state or county agency that
4 controls the land to transfer the land designated for
5 use as a kauhale to an agency whose mission is more
6 suited to the management of a kauhale; and

7 (2) Work with the appropriate state or county agency that
8 controls the land and its construction agency to
9 ensure that infrastructure needs for a kauhale are met
10 and minimize adverse impacts to the environment,
11 including to nearshore resources such as corals, reef
12 fish, and seabirds.

13 (d) The kauhale pilot program may provide the following
14 facilities and services at each kauhale:

15 (1) Secure dwelling spaces that:

16 (A) May be private or communal;

17 (B) Have access to toilets, showers, and other
18 hygiene facilities; and

19 (C) Have access to an area for food storage and meal
20 preparation;

21 (2) Medical and social support services; and



1 (3) Transportation to appointments related to medical care
2 or supportive services that are not available at a
3 kauhale.

4 SECTION 4. (a) Contracts entered into by the agencies
5 designated by the lieutenant governor pursuant to the kauhale
6 pilot program shall be exempt from the requirements of chapters
7 103D and 103F, Hawaii Revised Statutes, as well as all county
8 ordinance, rule, regulation, law, or provision in any form that
9 applies to any county permitting, licensing, zoning, variance,
10 processes, procedures, fees, or any other requirements that
11 hinder, delay, or impede the purpose of this Act.

12 (b) The agencies designated by the lieutenant governor
13 pursuant to the kauhale pilot program shall establish no later
14 than December 31, 2020, the following:

15 (1) The criteria that the agencies will use to evaluate
16 potential kauhale locations;

17 (2) A monthly timetable of milestones that the agencies
18 expect to meet in establishing one or more kauhale
19 over the course of the pilot program;



1 (3) Specific, measurable, attainable, reasonable, and
2 time-based performance measures that the agencies
3 expect to meet at the end of each fiscal year;

4 (4) The evaluation criteria and process that the agencies
5 intend to use each year when reviewing the success and
6 sustainability of a kauhale; and

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

12 (c) The Hawaii housing finance and development corporation
13 shall compile and consolidate information from the agencies
14 designated by the lieutenant governor pursuant to the kauhale
15 pilot program to effectuate this Act and submit an annual report
16 to the legislature no later than twenty days prior to the
17 convening of the regular sessions of 2021, 2022, and 2023.

18 (d) The report submitted no later than twenty days prior
19 to the convening of the regular session of 2021 shall include
20 the following information:



- 1 (1) A summary and explanation of the process that the
2 agencies designated by the lieutenant governor
3 pursuant to the kauhale pilot program engaged in to
4 identify possible kauhale locations; and
- 5 (2) A summary of the information required under subsection
6 (b) .
- 7 (e) The reports submitted no later than twenty days prior
8 to the convening of the regular sessions of 2022 and 2023 shall
9 include the following information:
- 10 (1) The milestones established pursuant to subsection (b)
11 that were met by the agencies designated by the
12 lieutenant governor pursuant to the kauhale pilot
13 program and the number of kauhale established during
14 the fiscal year;
- 15 (2) An evaluation of the kauhale pilot program to
16 determine whether the objectives set have been met or
17 exceeded;
- 18 (3) Any proposed changes that need to be made to the
19 performance measures used to assess the achievement of
20 program goals; and



1 (4) An assessment of the impact of the kauhale model on
2 the homelessness problem in Hawaii.

3 (f) The kauhale pilot program shall cease to exist on
4 June 30, 2023.

5 SECTION 5. There is appropriated out of the general
6 revenues of the State of Hawaii the sum of \$20,000,000 or so
7 much thereof as may be necessary for fiscal year 2020-2021 for
8 the establishment of the kauhale pilot program and expenses
9 related to facility construction, provision of services,
10 staffing, and administrative costs.

11 The sum appropriated shall be expended by the office of the
12 lieutenant governor for the purposes of this Act; provided that
13 the lieutenant governor shall transfer the expenditure authority
14 to the appropriate designated agencies within a reasonable time.

15 Notwithstanding any other law to the contrary, the
16 lieutenant governor may transfer all or a portion of the
17 appropriation in this section to the lieutenant governor's
18 designated agencies for expenditures incurred to implement the
19 kauhale pilot program.

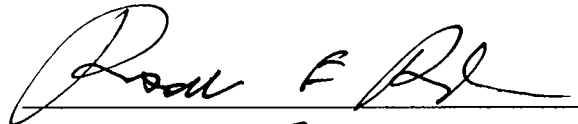


S.B. NO. 2442

1 The lieutenant governor's designated agencies may expend
 2 any appropriation transferred pursuant to this section for the
 3 performance of their duties under the kauhale pilot program.

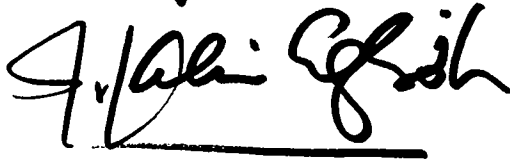
4 SECTION 6. This Act shall take effect on July 1, 2020.
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INTRODUCED BY:





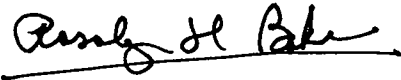




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S.B. NO. 2442

Report Title:

Kauhale; Pilot Program; Lieutenant Governor; Appropriation

Description:

Establishes the kauhale pilot program to provide shelter and certain services to homeless individuals. Appropriates funds for the kauhale pilot program.

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

