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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. The legislature finds that, under the  
2 governor's emergency proclamations related to homelessness  
3 issued on October 16, 2015, and December 6, 2018, respectively,  
4 and the supplemental proclamations thereto, the State and  
5 counties, in partnership with developers and nonprofit  
6 organizations, created portable homes. These homes, commonly  
7 referred to as tiny homes or kauhale, were exempted by the  
8 emergency proclamations from county building permits and other  
9 restrictions. The semi-permanent tiny homes or kauhale are a  
10 pathway out of homelessness for working residents who cannot  
11 afford market rentals. The legislature further finds that the  
12 final supplemental proclamation to the governor's December 6,  
13 2018, emergency proclamation expired on February 14, 2020.

14           The legislature also finds that, according to a January 10,  
15 2022, Honolulu Star-Advertiser article, the below-market rent  
16 for a studio apartment is \$1,320 for a three hundred twenty-six  
17 square foot unit. However, a family having parents working



1 full-time and earning the minimum wage of \$10.10 per hour cannot  
2 even afford a small studio because the rent is more than fifty  
3 per cent of the family's net take home pay. Additionally, for  
4 those classified as low-income, which is commonly defined as  
5 eighty per cent of the area median income, or \$67,680 for an  
6 individual and \$77,360 for a couple in the City and County of  
7 Honolulu, existing housing is far from affordable. These low-  
8 income individuals, many of whom work in the tourism industry,  
9 are usually left with few housing options, and thus portable  
10 home villages like Kahauiki Village on Sand Island are filled  
11 with low-income working families.

12 The legislature finds that continued support for tiny homes  
13 or kauhale is needed to ensure that homes for low-income working  
14 families are available as a pathway out of homelessness until  
15 the market creates permanent homes for these families.

16 The purpose of this Act is to:

- 17 (1) Ensure the continuity and existence of the low-income  
18 tiny home projects developed pursuant to the  
19 governor's October 16, 2015, or December 6, 2018,  
20 emergency proclamations related to homelessness, or  
21 any supplemental proclamations to these emergency



1           proclamations, by exempting the projects from certain  
2           laws for the duration of the underlying state land  
3           leases; and

4           (2) Establish the low-income tiny home village pilot  
5           program to provide shelter and certain services to  
6           low-income and homeless individuals.

7           SECTION 2. All low-income rentals, tiny home villages, or  
8           kauhale, developed on state land pursuant to the governor's  
9           October 16, 2015, or December 6, 2018, emergency proclamations  
10          on homelessness, or any supplemental proclamations to these  
11          emergency proclamations, shall be exempt from the following  
12          provisions of the Hawaii Revised Statutes for the duration of  
13          the underlying state lease:

14          (1) Chapter 46, Hawaii Revised Statutes, county  
15          organization and administration, to the extent that  
16          any county ordinance, rule, regulation, law, or  
17          provision in any form applies to any county  
18          permitting, licensing, zoning, variance, processes,  
19          procedures, fees, or any other requirements that  
20          hinder, delay, or impede the purpose of this Act;



- 1           (2) Chapter 89, Hawaii Revised Statutes, collective  
2           bargaining in public employment;
- 3           (3) Chapter 89C, Hawaii Revised Statutes, public officers  
4           and employees excluded from collective bargaining;
- 5           (4) Section 102-2, Hawaii Revised Statutes, contracts for  
6           concessions in government buildings; bid required,  
7           exception;
- 8           (5) Section 103-2, Hawaii Revised Statutes, general fund;
- 9           (6) Section 103-53, Hawaii Revised Statutes, contracts  
10          with the State or counties; tax clearances,  
11          assignments;
- 12          (7) Section 103-55, Hawaii Revised Statutes, wages, hours,  
13          and working conditions of employees of contractors  
14          performing services;
- 15          (8) Chapter 103D, Hawaii Revised Statutes, Hawaii public  
16          procurement code;
- 17          (9) Chapter 103F, Hawaii Revised Statutes, purchases of  
18          health and human services;
- 19          (10) Chapter 104, Hawaii Revised Statutes, wages and hours  
20          of employees on public works;



- 1 (11) Sections 105-1 to 105-10, Hawaii Revised Statutes, use  
2 of government motor vehicles, limitations;
- 3 (12) Section 127A-30, Hawaii Revised Statutes, rental or  
4 sale of essential commodities during a state of  
5 emergency; prohibition against price increases;
- 6 (13) Chapter 205, Hawaii Revised Statutes, land use  
7 commission;
- 8 (14) Chapter 205A, Hawaii Revised Statutes, coastal zone  
9 management;
- 10 (15) Chapter 206E, Hawaii Revised Statutes, Hawaii  
11 community development authority;
- 12 (16) Chapter 343, Hawaii Revised Statutes, environmental  
13 impact statements;
- 14 (17) Section 464-4, Hawaii Revised Statutes, public works  
15 required to be supervised by certain professionals;  
16 and
- 17 (18) Sections 601-1.5, 708-817, 708-818, 708-820,  
18 708-830.5, and 708-840, Hawaii Revised Statutes, to  
19 the extent that these sections contain provisions for  
20 the suspension, tolling, extension, or granting of  
21 relief from deadlines, time schedules, or filing



1 requirements in civil, criminal, or administrative  
 2 matters before the courts of the State or to the  
 3 extent that these sections contain provisions for  
 4 criminal penalties that are automatically heightened  
 5 by reason of any declared disaster or emergency.

6 This section shall only apply to low-income rentals, tiny home  
 7 villages, and kauhale that are safe, sanitary, and suitable for  
 8 human habitation.

9 SECTION 3. (a) There is established the low-income tiny  
 10 home village pilot program within the department of human  
 11 services to provide long-term housing and certain services to  
 12 homeless individuals and individuals whose income is at or below  
 13 fifty per cent of the area median income for the State.

14 (b) The tiny home villages developed under the pilot  
 15 program may have shared facilities, including restrooms and  
 16 kitchens, to promote shared responsibility and reduce costs and  
 17 infrastructural needs.

18 (c) The department of human services shall:

19 (1) In consultation with the Hawaii housing finance and  
 20 development corporation and the counties, administer



1 and oversee the operation of the low-income tiny home  
2 village pilot program;

3 (2) Use lands identified in the office of planning and  
4 sustainable development's 2018 Affordable Rental  
5 Housing Report and Ten-Year Plan as tier 1 public  
6 lands to determine the amount of moneys that are  
7 needed per county to develop the tier 1 public lands  
8 into low-income rentals;

9 (3) Devise a plan for the development of tier 1 public  
10 lands into low-income rentals and the management  
11 thereof;

12 (4) Identify sources of funding for the development and  
13 management of low-income rentals;

14 (5) Identify legal issues that may need to be addressed by  
15 the state or county legislative bodies; and

16 (6) Identify, and either provide or contract for the  
17 provision of, any services that may be required to  
18 effectuate the purposes of the pilot program.

19 SECTION 4. For purposes of this Act:

20 "Homeless" has the same meaning as defined in section  
21 346-361, Hawaii Revised Statutes.



1 "Low-income rental" means a residential unit that may be  
2 rented by a household earning below eighty per cent of the area  
3 median income.

4 SECTION 5. The department of human services shall submit a  
5 report of its findings and recommendations on the low-income  
6 tiny home village pilot program, including any proposed  
7 legislation, to the legislature no later than twenty days prior  
8 to the convening of the regular session of 2023.

9 SECTION 6. This Act shall take effect on December 31,  
10 2050.



**Report Title:**

Low-Income Tiny Home Village Pilot Program; Department of Human Services; Hawaii Housing Finance and Development Corporation

**Description:**

Ensures the continued existence of the low-income tiny home projects developed pursuant to the Governor's 2015 or 2018 emergency proclamations related to homelessness, or any supplemental proclamations to these emergency proclamations, by exempting the projects from certain laws for the duration of the underlying state land leases. Establishes the low-income tiny home village pilot program to provide shelter and certain services to low-income and homeless individuals. Effective 12/31/2050. (SD2)

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

