
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 the ohana zones
2 pilot program established pursuant to Act 209, Session Laws of
3 Hawaii 2018, improved the health and well-being of individuals
4 experiencing homelessness. The State awarded ohana zone funded
5 contracts through the department of human services, department
6 of health, Hawaii housing finance and development corporation,
7 and office of youth services. A total of sixteen projects
8 including twenty different sites were supported by ohana zone
9 funding, which exceeded the minimum number of sites required by
10 Act 209.

11 The legislature further finds that as of September 30,
12 2021, ohana zone programs have served 5,067 individuals
13 statewide, and placed 1,129 individuals into permanent housing.
14 The program has also preserved three hundred fifty-eight beds or
15 units statewide and added four hundred sixty-nine new beds or
16 units in shelter and housing inventory.



1 The purpose of this Act is to continue and expand the
2 programs and services provided by the ohana zones pilot program.

3 SECTION 2. Act 209, Session Laws of Hawaii 2018,
4 section 4, as amended by Act 128, section 1, Session Laws of
5 Hawaii 2019, is amended as follows:

6 1. By amending subsection (a) to read:

7 "(a) Contracts entered into by the agencies designated by
8 the governor pursuant to the ohana zones pilot program shall be
9 exempt from the following requirements [of chapters 103D and
10 103F, Hawaii Revised Statutes.]; provided that these exemptions
11 shall apply only during the pilot period:

12 (1) Chapter 6E, Hawaii Revised Statutes, historic
13 preservation;

14 (2) Section 37-41, Hawaii Revised Statutes, appropriations
15 to revert to state treasury;

16 (3) Section 37-74(d), Hawaii Revised Statutes, program
17 execution, except for subsections 37-74(d)(2) and (3),
18 Hawaii Revised Statutes; provided that any of those
19 transfers or changes shall be considered authorized
20 transfers or changes for purposes of section



- 1 37-74(d)(1), Hawaii Revised Statutes, for legislative
2 reporting requirements;
- 3 (4) Section 40-66, Hawaii Revised Statutes, lapsing of
4 appropriations;
- 5 (5) Chapter 46, Hawaii Revised Statutes, county
6 organization and administration, as any county
7 ordinance, rule, regulation, law, or provision in any
8 form that applies to any county permitting, licensing,
9 zoning, variance, process, procedure, fee, or any
10 other requirement that hinders, delays, or impedes the
11 purpose of this Act;
- 12 (6) Chapter 92, Hawaii Revised Statutes, public agency
13 meetings and records, to the extent that any notice
14 requirements or any other provisions of chapter 92,
15 Hawaii Revised Statutes, may delay the expeditious
16 action, decision, or approval of any agency;
- 17 (7) Section 102-2, Hawaii Revised Statutes, contracts for
18 concessions in government buildings; bid requirements;
- 19 (8) Section 103-2, Hawaii Revised Statutes, general fund;



- 1 (9) Section 103-53, Hawaii Revised Statutes, contracts
- 2 with the State or counties; tax clearances,
- 3 assignments;
- 4 (10) Chapter 103D, Hawaii Revised Statutes, Hawaii public
- 5 procurement code;
- 6 (11) Chapter 104, Hawaii Revised Statutes, wages and hours
- 7 of employees on public works;
- 8 (12) Sections 105-1 to 105-10, Hawaii Revised Statutes, use
- 9 of government vehicles, limitations;
- 10 (13) Section 127A-30, Hawaii Revised Statutes, rental or
- 11 sale of essential commodities during a state of
- 12 emergency; prohibition against price increases;
- 13 (14) Chapter 171, Hawaii Revised Statutes, public lands;
- 14 (15) Chapter 205, Hawaii Revised Statutes, land use
- 15 commission;
- 16 (16) Chapter 205A, Hawaii Revised Statutes, coastal zone
- 17 management;
- 18 (17) Chapter 206E, Hawaii Revised Statutes, Hawaii
- 19 community development authority;
- 20 (18) Chapter 343, Hawaii Revised Statutes, environmental
- 21 impact statements;



1 (19) Chapter 346, Hawaii Revised Statutes, social services;
2 and
3 (20) Section 464-4, Hawaii Revised Statutes, public works
4 required to be supervised by certain professionals;
5 and
6 (21) Sections 601-1.5, 708-817, 708-818, 708-820,
7 708-830.5, and 708-840, Hawaii Revised Statutes, to
8 the extent that these sections contain provisions for
9 the suspension, tolling, extension, or granting of
10 relief from deadlines, time schedules, or filing
11 requirements in civil, criminal, or administrative
12 matters before the courts of the State or to the
13 extent that these sections contain provisions for
14 criminal penalties that are automatically heightened
15 by reason of any declared disaster or emergency."

16 2. By amending subsection (c) to read:

17 "(c) Each provider or agency awarded or allocated funds
18 under the pilot program shall submit a report to the governor's
19 coordinator on homelessness on expenditures of the funds.

20 The governor's coordinator on homelessness shall compile
21 and consolidate information and reports from the providers and



1 agencies [~~designated by the governor~~] awarded or allocated funds
2 to effectuate this part and submit reports to the legislature no
3 later than twenty days prior to the convening of the regular
4 sessions of 2020, 2021, [~~and~~] 2022[-], 2023, 2024, 2025, 2026,
5 and 2027."

6 3. By amending subsections (e) and (f) to read:

7 "(e) The reports submitted no later than twenty days prior
8 to the convening of the regular sessions of 2021 [~~and~~], 2022,
9 2023, 2024, 2025, 2026, 2026, and 2027, shall include the
10 following information:

- 11 (1) The milestones established pursuant to subsection (b)
12 that were met by the agencies designated by the
13 governor pursuant to the ohana zones pilot program and
14 ohana zones established during the fiscal year;
- 15 (2) An evaluation of the ohana zones to determine whether
16 the objectives set have been met or exceeded;
- 17 (3) Any proposed changes that need to be made to the
18 performance measures used to assess the achievement of
19 program goals; and
- 20 (4) An assessment of the impact of the ohana zone model on
21 the homelessness problem in Hawaii.



1 (f) The pilot program shall cease to exist on June 30,
2 [~~2023-~~] 2026."

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$15,000,000 or so
5 much thereof as may be necessary for fiscal year 2022-2023 to
6 continue the ohana zones pilot program and expenses related to
7 facility construction, provision of services, staffing, and
8 administrative costs; provided that:

9 (1) The moneys appropriated by this section shall be the
10 funding source of last resort. The provider shall
11 attest that it has pursued all other alternative
12 sources of funding available to the provider for the
13 services rendered before using moneys made available
14 to the provider appropriated by this section;

15 (2) No moneys shall be paid to any provider until the
16 provider demonstrates compliance with the performance
17 contract;

18 (3) If the expending agency or any other appropriate
19 agency determines that a provider has spent moneys in
20 violation of paragraphs (1) or (2), the provider shall
21 forfeit and repay the moneys spent in violation of



1 paragraph (1) or (2) to the State. The expending
2 agency, the attorney general, or other agency may take
3 action to recover the expended moneys; and

4 (4) Preference for contracted services shall be given to
5 an applicant that is a qualified medicaid provider in
6 the State; provided further that:

7 (A) If two competing applicants that submit proposals
8 for the same purchase of services contract
9 pursuant to section 103F-402, Hawaii Revised
10 Statutes, are otherwise equivalent, the
11 purchasing agency shall select the applicant who
12 is a qualified medicaid provider;

13 (B) An applicant that is not a qualified medicaid
14 provider at the time the contract is awarded
15 shall have up to one year after the date on the
16 notice of award to apply and be qualified as a
17 medicaid provider by the department of human
18 services; and

19 (C) When applicable, the department of human services
20 shall make available to each provider being
21 awarded a contract an explanation, through a



1 memorandum of understanding, of how the provider
2 may capture federal medicaid moneys.

3 The sum appropriated shall be expended by the department of
4 human services for the purposes of this Act; provided that the
5 department of human services shall transfer the expenditure
6 authority to designated executive branch departments or agencies
7 within a reasonable time.

8 Notwithstanding any other law to the contrary, the
9 department of human services may transfer all or a portion of
10 the appropriation in this section to agencies for expenditures
11 incurred to implement the program.

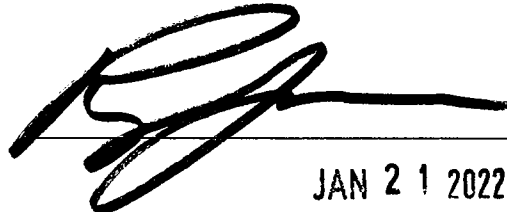
12 Executive branch agencies designated by the department of
13 human services shall comply with all requirements established by
14 this Act, as applicable, and may expend any appropriation
15 transferred pursuant to this section for the performance of
16 duties under the pilot program.

17 SECTION 4. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect on July 1, 2022.

20

INTRODUCED BY:



JAN 21 2022



H.B. NO. 1796

Report Title:

Department of Human Services; Homelessness; Housing; Ohana Zones Pilot Program; Appropriation

Description:

Extends the Ohana Zones Pilot Program to 2026 to reduce homelessness by placing individuals into permanent housing, expanding housing, and preserving existing housing. Appropriates moneys.

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

