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# 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-31, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3           "(a) In the operation or management of federal public  
4 housing projects, the authority ~~[+]~~, acting directly or by an  
5 agent or agents ~~[+]~~, at all times shall observe the following  
6 duties with respect to rentals and tenant selection:

7           (1) ~~[#]~~ The authority may establish maximum limits of  
8 annual net income for tenant selection in any public  
9 housing project, less ~~[such]~~ any exemptions as may be  
10 authorized by federal regulations pertaining to public  
11 housing. The authority may agree to conditions as to  
12 tenant eligibility or preference required by the  
13 federal government pursuant to federal law in any  
14 contract for financial assistance with the authority;  
15 ~~[provided that not less than fifty per cent of~~  
16 ~~available units shall be for applicants without~~



1 ~~preference and up to fifty per cent of available units~~  
2 ~~shall be for applicants with preference;]~~

3 (2) [~~It~~] The authority may rent or lease the dwelling  
4 units therein only at rentals within the financial  
5 reach of persons who lack the amount of income that  
6 [~~it~~] the authority determines to be necessary to  
7 obtain safe, sanitary, and uncongested dwelling  
8 accommodations within the area of operation of the  
9 authority and to provide an adequate standard of  
10 living; and

11 (3) [~~It~~] The authority may rent or lease to a tenant a  
12 dwelling consisting of the number of rooms [~~+~~], but no  
13 greater number [~~-~~ ~~that it~~], than the authority deems  
14 necessary to provide safe and sanitary accommodations  
15 to the proposed occupants thereof, without  
16 overcrowding."

17 SECTION 2. Section 356D-42, Hawaii Revised Statutes, is  
18 amended by amending subsection (a) to read as follows:

19 "(a) The authority shall select tenants upon the basis of  
20 those in greatest need for the particular housing, subject to  
21 the following limitations and preferences:



- 1           (1) The authority may limit the tenants of any state low-  
2           income housing project to classes of persons when  
3           required by federal law or regulation as a term or  
4           condition of obtaining assistance from the federal  
5           government; [~~provided that not less than fifty per~~  
6           ~~cent of available units shall be for applicants~~  
7           ~~without preference and up to fifty per cent of~~  
8           ~~available units shall be for applicants with~~  
9           ~~preference;~~]
- 10          (2) Within the priorities established by the authority  
11          recognizing need, veterans with a permanent disability  
12          of ten per cent or more, as certified by the United  
13          States Department of Veterans Affairs, and their  
14          dependent parents, if any. The deceased veteran's  
15          [~~widow or widower~~] spouse shall be given first  
16          preference. Parents of veterans shall not use the  
17          veteran status of their adult child as a basis for  
18          preference; and
- 19          (3) Subject to any limitations set by federal law or  
20          regulation, the authority shall not select as a  
21          tenant, and may terminate the tenancy of, any person



1           if the person or any household member owns or acquires  
2           a home within the State."

3           SECTION 3. This Act does not affect rights and duties that  
4 matured, penalties that were incurred, and proceedings that were  
5 begun before its effective date.

6           SECTION 4. Statutory material to be repealed is bracketed  
7 and stricken. New statutory material is underscored.

8           SECTION 5. This Act shall take effect upon its approval.



**Report Title:**

Hawaii Public Housing Authority; General Powers; Low-income  
Public Housing; Preferences

**Description:**

Repeals the percentage requirements for the Hawaii public  
housing authority related to the admission of applicants, with  
or without preferences, into federal and state low-income public  
housing units. (CD1)

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

