#### HOUSE OF REPRESENTATIVES THIRTY-SECOND LEGISLATURE, 2024 STATE OF HAWAII

#### H.B. NO. <sup>2750</sup> H.D. 1

### A BILL FOR AN ACT

RELATING TO CLEAN AND SOBER HOMES.

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

1 SECTION 1. Section 321-193.7, Hawaii Revised Statutes, is 2 amended to read as follows: 3 "\$321-193.7 Clean and sober homes registry. (a) The 4 department shall establish a voluntary clean and sober homes 5 registry to assist persons recovering from substance abuse to 6 have a safe, clean, and sober environment that supports their 7 recovery. The department shall ensure that there is equitable 8 distribution of clean and sober homes throughout a particular 9 county and shall establish procedures and standards by which 10 clean and sober homes [will be allowed to] shall be listed on 11 the registry, including but not limited to: 12 (1)Organizational and administrative standards; 13 (2)Fiscal management standards; 14 (3) Operation standards; 15 (4)Recovery support standards; 16 (5) Property standards; and 17 (6) Good neighbor standards.

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1	(b) As part of the application process for	or a certificate	
2	of registration, an applicant shall obtain wri-	tten approval from	
3	the appropriate county planning or permitting department that		
4	the property that is the subject of the application is in		
5	compliance with all land use and zoning ordinances and rules.		
6	[ <del>(b)</del> ] <u>(c)</u> Upon review and approval of a b	nome operator's	
7	application, the department shall issue a cert:	ificate of	
8	registration that shall specify:		
9	(1) The name of the holder of the regist	cation;	
10	(2) The address to which the registration	applies;	
11	(3) The maximum number of persons to res	ide in the home;	
12	and		
13	(4) The period for which the registration	n shall be valid.	
14	(d) No certificate of registration under	subsection (c)	
15	shall be issued by the department:		
16	(1) For properties located in a county w	ith a population	
17	of more than 500,000, unless a public	c informational	
18	meeting is first held before a neight	oorhood board in	
19	the affected community; and		

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1	(2) If there are more than registered clean and		
2	sober homes within a mile radius in the		
3	affected community.		
4	(e) An owner, operator, or landlord shall not hold the		
5	property out to be or advertise to be a "registered clean and		
6	sober home" unless the home is registered and in good standing		
7	with the clean and sober homes registry.		
8	[ <del>(c)</del> ] <u>(f)</u> The certificate of registration shall be		
9	publicly displayed at the home.		
10	[ <del>(d)</del> ] <u>(g)</u> The certificate of registration shall not be		
11	transferred to a new owner or operator, or to an address other		
12	than as specified on the certificate of registration.		
13	[ <del>(c)</del> ] <u>(h)</u> Nothing in this section shall relieve a		
14	certificate holder from compliance with other pertinent		
15	statutory provisions, nor shall a certificate holder be relieved		
16	from compliance with other applicable provisions of federal,		
17	state, or county laws, ordinances, or rules.		
18	$\left[\frac{f}{f}\right]$ (i) The department may revoke the certificate of		
19	registration if a home ceases to meet established standards or		
20	any other applicable federal, state, or county law, ordinance,		
21	or rule.		

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1	[ <del>(g)</del> ] <u>(j)</u> The department may immediately revoke a	
2	certificate of registration if there are reasonable grounds to	
3	believe that the continued operation of the home presents an	
4	immediate danger to residents of the home or the general public.	
5	[ <del>(h)</del> ] <u>(k)</u> Any revocation of the certificate of	
6	registration shall be made in writing to the certificate holder.	
7	$\left[\frac{(i)}{(i)}\right]$ (1) The department shall maintain a listing of all	
8	registered clean and sober homes on its website.	
9	$\left[\frac{(j)}{(m)}\right]$ The department shall establish a toll-free	
10	telephone number to receive complaints regarding clean and sober	
11	homes. The department and pertinent county agencies shall work	
12	together to resolve problems and complaints received by either	
13	the State or counties regarding clean and sober homes. The	
14	department shall educate the public on:	
15	(1) Clean and sober homes;	
16	(2) The department's registry of clean and sober homes;	
17	(3) State and county procedures pertaining to clean and	
18	sober homes; and	
19	(4) Contact information and procedures for inquiries and	
20	complaints related to clean and sober homes.	

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1	$\left[\frac{k}{n}\right]$ (n) This section shall not be construed to abrogate	
2	an individual's right to privacy. Unless otherwise provided by	
3	law, the department shall implement sufficient protections to	
4	ensure that the identity of a clean and sober home resident	
5	remains confidential and that information collected pursuant to	
6	this section is used solely for the purposes of this section.	
7	$\left[\frac{(1)}{(0)}\right]$ The department shall adopt rules under chapter	
8	91 as necessary to carry out the purposes of this section."	
9	SECTION 2. Statutory material to be repealed is bracketed	
10	and stricken. New statutory material is underscored.	
11	SECTION 3. This Act shall take effect on July 1, 3000.	

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#### Report Title:

Department of Health; Clean and Sober Homes Registry; Notification

#### Description:

Requires the Department of Health to ensure there is equitable distribution of clean and sober homes throughout a county. Requires an applicant to obtain written approval from the appropriate county showing compliance with all land use and zoning ordinances and rules. Prohibits the Department of Health from issuing a certificate of registration: unless, in certain counties, a public informational meeting is first held before a neighborhood board in the affected community; and if there are more than a certain number of registered clean and sober homes within a certain mile radius in the affected community. Effective 7/1/3000. (HD1)

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