

S.B. NO. 1367

JAN 25 2023

A BILL FOR AN ACT

RELATING TO ACT 130, SESSION LAWS OF HAWAII 2022.

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

1 SECTION 1. The purpose of this Act is to amend Act 130,
2 Session Laws of Hawaii 2022, clarifying access to services,
3 adding a description of homeless youth, and expanding the ages
4 that may be served.

5 SECTION 2. Act 130, Session Laws of Hawaii 2022, is
6 amended by amending section 2 to read as follows:

7 "SECTION 2. (a) There is established within the department
8 of human services [~~for administrative purposes only a~~] office of
9 youth services the safe spaces for youth pilot program, which
10 shall be an inter-agency initiative to provide safe spaces in
11 each county for youth experiencing homelessness.

12 (b) [~~The program shall collaborate with all~~] All
13 departments of the State and its political subdivisions that
14 offer services [~~for the purpose of ensuring~~] to ensure the well-
15 being of youth in Hawaii, including the department of education,
16 department of health, department of human services, department
17 of public safety, and county police departments, shall
18 collaborate to [~~coordinate the identification of~~] identify youth

S.B. NO. 1367

1 who are experiencing homelessness and coordinate placement of
2 these youth at a shelter for homeless youth.

3 (c) The department of human services shall enter into
4 contracts with nonprofit organizations to provide [~~shelters~~]
5 shelter, assessment, and access to available services for
6 [~~homeless~~] youth[~~-~~] experiencing homelessness or who are at risk
7 of homelessness. Any nonprofit organization contracted under
8 this subsection shall have the knowledge, experience, and
9 qualifications, including licenses, necessary to operate a
10 shelter for homeless youth.

11 (d) Notwithstanding any other law to the contrary, a
12 shelter for homeless youth contracted under subsection (c) may
13 admit a youth into the shelter's care for up to ninety days
14 without the consent of the youth's parent or guardian.

15 (e) The department of human services shall submit a report
16 of its findings and recommendations pertaining to the safe
17 spaces for youth pilot program to the legislature no later than
18 thirty days prior to the convening of the regular session of
19 2025. The report shall include:

- 20 (1) A record of pilot program activities and
21 accomplishments;
- 22 (2) A recommendation on whether to extend the program; and
- 23 (3) Any proposed legislation.

S.B. NO. 1367

1 (f) The department of human services [~~shall~~] may adopt
2 rules pursuant to chapter 91, Hawaii Revised Statutes, necessary
3 to carry out the purposes of this Act.

4 (g) For the purposes of this Act:

5 "Shelter for homeless youth" means a facility that operates
6 to receive youth twenty-four hours a day, seven days a week, and
7 provide youth with services, [~~including~~] that may include:

8 (1) Overnight lodging and supervision;

9 (2) Hot meals and hot showers;

10 (3) Access to medical and behavioral health services; and

11 (4) Education and employment support~~[-]~~;

12 provided that facilities shall also take steps to ensure that
13 youth who are or should be under the legal jurisdiction of the
14 juvenile justice or child welfare systems obtain and receive
15 services from those systems until such time as they are released
16 from the jurisdiction of those systems as required by the
17 Runaway and Homeless Youth Act as amended, 42 U.S.C. 5701, et
18 seq."

19 "Youth" means an individual [~~who is at least fourteen years~~
20 ~~of age but~~] under twenty-five years of age."

21 "Youth at risk of homelessness," or "youth experiencing
22 homelessness," or "homeless youth" means:

S.B. NO. 1367

- 1 (1) Youth who are sharing the housing of other persons due
2 to loss of housing, economic hardship, or a similar
3 reason; are living in motels, hotels, or camping
4 grounds due to the lack of adequate alternative
5 accommodations; or are abandoned in hospitals; or
6 other health care or behavioral health care settings;
7 (2) Youth who have a primary nighttime residence that is a
8 public or private place not designed for or ordinarily
9 used as a regular sleeping accommodation for human
10 beings; or
11 (3) Youth who are living in cars, parks, public spaces,
12 abandoned buildings, substandard housing, bus or train
13 stations, or similar settings."

14 SECTION 3. There is appropriated out of the general
15 revenues of the State of Hawaii the sum of \$4,496,870 or so much
16 thereof as may be necessary for fiscal years 2023-2024 and the
17 same sum of \$4,496,870 or so much thereof as may be necessary
18 for fiscal year 2024-2025 to fund and operate the safe spaces
19 for youth pilot program, including funding for two full-time
20 equivalent (2.0 FTE) positions and administrative costs for the
21 pilot program.

22 The sums appropriated shall be expended by the department
23 of human services for the purposes of this Act.

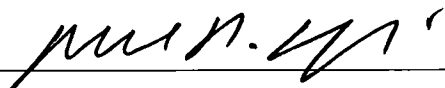
S.B. NO. 1367

1 SECTION 4. Statutory material to be repealed is bracketed
2 and stricken. New statutory material is underscored.

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

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INTRODUCED BY: 

6

BY REQUEST

S.B. NO. 1367

Report Title:

Department of Human Services; Office of Youth Services; Youth Shelter; Homelessness; Appropriation

Description:

Amends Act 130, Session Laws of Hawaii 2022, clarifies access to services, provides a definition of homeless youth; expands the age of youth that may be served; establishes two full-time equivalent positions; and makes an appropriation.

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

JUSTIFICATION SHEET

DEPARTMENT: DEPARTMENT OF HUMAN SERVICES

TITLE: A BILL FOR AN ACT RELATING TO ACT 130,
SESSION LAWS OF HAWAII 2022.

PURPOSE: To amend Act 130, Session Laws of Hawaii
2022 (Act 130) to enable the Department of
Human Services (DHS), Office of Youth
Services (OYS), to address shelter needs for
youth at risk of homelessness or
experiencing homelessness, establish two
full-time equivalent positions, and
appropriate funds for fiscal years 2023-2024
and 2024-2025.

MEANS: Amend section 2 of Act 130; make
appropriations.

JUSTIFICATION: Act 130 directs DHS to address the needs of
shelter for homeless youth statewide by
establishing the Safe Spaces for Youth Pilot
Program (Safe Spaces). OYS is the
administrative lead of Safe Spaces as
chapter 352D, Hawaii Revised Statutes (HRS),
authorizes OYS to operate youth services
centers statewide and the Kawaihoa Youth and
Family Wellness Center on the Hawaii Youth
Correctional Facility (HYCF) campus.

The bill amends Act 130 by requiring shelter
providers to conduct assessments and provide
access to services to support homeless youth
to transition to safe and stable housing and
meet their other needs. In addition, the
bill adds a provision that ensures that
youth under the jurisdiction of the juvenile
justice or child welfare systems access
available services through those systems as
required by 45 CFR § 1351.23(e) and (f) of
the Runaway and Homeless Youth Act as
amended, 42 USC 5701, *et seq.*

The bill amends the definition of youth to
include all minor children and young adults

under twenty-five years of age, consistent with chapter 352D, HRS.

The bill adds the definition of "youth at risk of homelessness" or "youth experiencing homelessness" or "homeless youth" to allow Safe Spaces to serve youth who are experiencing various living conditions.

Lastly, Act 130 appropriated funds for only one fiscal year. The bill requests the establishment of two full-time positions and an appropriation of \$4,496,870 in general funds for each fiscal year of the pilot, state fiscal years 2023-2024 and 2024-2025. Funds are for salaries and contract services to operate shelters in all counties, including at Kawaihoa Youth and Family Wellness Center and a youth shelter on the Waianae Coast. Additional funds are requested to implement the National Safe Place Network program, including 24/7 crisis response services, data collection, evaluation, quality assurance, oversight, and other administrative and operating expenses.

Impact on the public: Comprehensive planning, development, and coordination of homeless shelters and related services available for homeless youth in the State. These amendments will allow DHS and OYS to work with counties and develop solutions while considering community capacity and differences.

Impact on the department and other agencies: These amendments will support collaboration and clarify that the target population of Safe Spaces are youth at risk of homelessness or experiencing homelessness statewide. The Department of the Attorney General and DHS Child Welfare Services may need additional resources to review procurement and other information and data-sharing documentation. The Department of Health, the Department of Education, and

county agencies may also require additional resources to implement or procure services.

GENERAL FUND: \$4,496,870 for FY 2023-2024 and the same amount for FY 2024-2025.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: HMS 501.

OTHER AFFECTED
AGENCIES: Department of the Attorney General and DHS
Child Welfare Services.

EFFECTIVE DATE: Upon approval.