

JAN 19 2024

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# 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~~] mandatory clean and  
5 sober homes registry to assist persons recovering from substance  
6 abuse to have a safe, clean, and sober environment that supports  
7 their recovery. The department shall ensure that there is  
8 equitable distribution of clean and sober homes throughout a  
9 particular county and shall establish procedures and standards  
10 by which clean and sober homes [~~will be allowed to~~] shall be  
11 listed on 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.



1        (b) As part of the application process for a certificate  
2 of registration, an applicant shall obtain written 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        [~~b~~] (c) . Upon review and approval of a home operator's  
7 application, the department shall issue a certificate of  
8 registration that shall specify:

- 9            (1) The name of the holder of the registration;  
10           (2) The address to which the registration applies;  
11           (3) The maximum number of persons to reside in the home;  
12           and  
13           (4) The period for which the registration 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 with a population  
17 of more than 500,000, unless a public informational  
18 meeting is first held before a neighborhood board in  
19 the affected community; and





1           ~~(g)~~ (j) 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           ~~(h)~~ (k) Any revocation of the certificate of  
6 registration shall be made in writing to the certificate holder.

7           ~~(i)~~ (l) The department shall maintain a listing of all  
8 registered clean and sober homes on its website.

9           ~~(j)~~ (m) 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.



1            [~~(k)~~] (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            [~~(l)~~] (o) 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 upon its approval.

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INTRODUCED BY: \_\_\_\_\_



# S.B. NO. 2642

**Report Title:**

Department of Health; Clean and Sober Homes Registry; Mandatory Registration; Notification

**Description:**

Requires mandatory registration for all clean and sober homes. 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.

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

