
A BILL FOR AN ACT

RELATING TO LIVING ACCOMMODATIONS.

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

1 PART I

2 SECTION 1. The purpose of this part is to prohibit camping
3 in public areas that are not designated as camping locations by
4 the State or a county.

5 SECTION 2. Chapter 708, Hawaii Revised Statutes, is
6 amended by adding a new section to be appropriately designated
7 and to read as follows:

8 "§708- Unauthorized camping on public property. (a) No
9 person shall camp on public property that is not designated as a
10 location for camping by the State or any county after a request
11 to leave is made by any law enforcement officer.

12 (b) Any person in violation of this section shall be
13 guilty of a violation subject to a fine of not less than \$50,
14 except that any person who violates this section within three
15 months of a prior conviction under this section shall be guilty
16 of a petty misdemeanor.

17 (c) It shall not be a violation of this section if:



1 (1) There are no safe zones designated by the county or
2 State within five miles of the area in which overnight
3 stays from 7:00 p.m. to 7:00 a.m. by individuals are
4 prohibited; or

5 (2) The person has no access to the person's residence or
6 a shelter due to a state of emergency declared
7 pursuant to section 127A-14.

8 (d) The court may order participation in homeless services
9 in lieu of prosecution or sentence, including:

10 (1) Referral to a drop off center for individuals who
11 appear to be in clear or questionable mental health
12 distress; provided that the drop off center shall
13 assess the individual, provide any crisis
14 stabilization needed, and connect the individuals with
15 follow-up services in the community, including case
16 management and in-patient treatment;

17 (2) Relocation programs, which may provide transportation
18 to locations where support may be provided; and

19 (3) Placement in an emergency or transitional shelter via
20 the homeless programs office of the department of
21 human services.



1 much thereof as may be necessary for fiscal year 2024-2025 for
2 the establishment of a drop off center.

3 The sum appropriated shall be expended by the judiciary for
4 the purposes of this Act.

5 PART II

6 SECTION 4. The purpose of this part is to require the
7 counties or State to establish safe zones for homeless persons
8 on lands to be designated by the county or State.

9 SECTION 5. (a) No later than December 31, 2024, each
10 county or the State shall establish safe zones, in which
11 homeless persons may reside, on lands to be designated by the
12 county or State.

13 (b) In designating a safe zone, the county or State may
14 collaborate with private landowners and contract with public and
15 private organizations to operate the safe zones.

16 (c) The statewide office on homelessness and housing
17 solutions shall assess, coordinate, and refer those residing in
18 a safe zone to appropriate resources and make available wrap-
19 around supports and community resources along the entire
20 continuum of care with the goal of reducing the number of
21 persons experiencing homelessness across the State.



1 (d) The State shall not be liable for any injury, damage,
2 conduct, or unlawful activity that may occur as a result of
3 establishing or operating a safe zone pursuant to this section.

4 SECTION 6. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2024-2025 for
7 the establishment of safe zones.

8 The sum appropriated shall be expended by the department of
9 human services for the purposes of this Act.

10 PART III

11 SECTION 7. In accordance with section 9 of article VII of
12 the Hawaii State Constitution and sections 37-91 and 37-93,
13 Hawaii Revised Statutes, the legislature has determined that the
14 appropriations contained in Act 164, Regular Session of 2023,
15 and this Act will cause the state general fund expenditure
16 ceiling for fiscal year 2024-2025 to be exceeded by
17 \$ or per cent. This current declaration takes
18 into account general fund appropriations authorized for fiscal
19 year 2024-2025 in Act 164, Regular Session of 2023, and this Act
20 only. The reasons for exceeding the general fund expenditure
21 ceiling are that:



1 (1) The appropriation made in this Act is necessary to
2 serve the public interest; and

3 (2) The appropriation made in this Act meets the needs
4 addressed by this Act.

5 SECTION 8. If any provision of this Act, or the
6 application thereof to any person or circumstance, is held
7 invalid, the invalidity does not affect other provisions or
8 applications of the Act that can be given effect without the
9 invalid provision or application, and to this end the provisions
10 of this Act are severable.

11 SECTION 9. New statutory material is underscored.

12 SECTION 10. This Act shall take effect on December 31,
13 2050; provided that sections 3 and 6 of this Act shall take
14 effect on July 1, 2024.



Report Title:

Illegal Camping; Prohibition; Homelessness; Safe Zones; Drop Off Center; Judiciary; Expenditure Ceiling; Appropriations

Description:

Prohibits camping in public areas that are not designated as camping locations by the State or a county with certain exceptions. Allows the court to order violators to participate in homeless services in lieu of prosecution or sentencing. Requires the State or counties to establish safe zones for homeless persons. Declares that the general fund expenditure ceiling is exceeded. Makes appropriations. Takes effect 12/31/2050. (SD1)

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

