

ACT 30

S.B. NO. 3151

A Bill for an Act Relating to the Hawaii Housing Authority.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 359-123, Hawaii Revised Statutes, is amended to read as follows:

“§359-123 **Qualified tenant defined.** As used in this part, the term “qualified tenant” [does] shall not include persons determined to be eligible for aid through the Federal Supplemental Security Income Program or its successor [agency], or persons receiving money payments for public assistance from the department of [social services and housing.] human services. Otherwise, “qualified tenant” means:

- (1) Any single person who has attained the age of sixty-two or who is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment[, and]; or
- (2) Any family;

provided [such] that the single person or family has, pursuant to criteria and procedures established by the Hawaii housing authority, been determined to have an income which would qualify the tenant for occupancy in housing provided by section 221(d)(3) of the National Housing Act or to have a lesser income].; and provided further that the qualified tenant’s primary place of residence shall be in the State of Hawaii or that the qualified tenant intends to make the State of Hawaii their primary place of residence. The terms “qualified tenant” and “tenant” include a member of a cooperative who satisfies the foregoing requirements and who, upon resale of the member’s membership to the cooperative, will not be reimbursed for more than fifty per cent of any equity increment accumulated through payments under this part. With respect to members of a cooperative, the terms “rental” and “rental charges” mean the charges under the occupancy agreements between such members and the cooperative.”

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval; provided that the residency requirements shall take effect on July 1, 1990.

(Approved April 20, 1990.)