

ACT 148

H.B. NO. 2022

A Bill for an Act Relating to Homeless Persons.

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

SECTION 1. Chapter 358D, Hawaii Revised Statutes, is amended to read as follows:

**“[[CHAPTER 358D]]
HOMELESS [FAMILIES] ASSISTANCE ACT**

[[§358D-1]] Title. This chapter shall be known as the Homeless [Families] Assistance Act.

[[§358D-2]] Purposes. The purposes of this chapter are to:

- (1) Provide a timely and appropriate response to homelessness;
- (2) Respond to the growing number of homeless families and individuals who are unable to find affordable units to rent; and
- (3) Establish and govern the services and benefits that the [director] authority may provide for the homeless through homeless facilities.

[[§358D-3]] Definitions. As used in this chapter:

“Authority” means the Hawaii housing authority.

“Conventional home” means a customary dwelling unit.

“Department” means the department of human services.

“Director” means the director of human services.]

“Donor” means any individual, partnership, corporation, joint-stock company, unincorporated organization, foundation, estate, trust, or any other person or firm that donates money, real property, goods, or services to a homeless facility, or any other program for the homeless authorized by this chapter, including board members, trustees, officers, partners, principals, stockholders, members, managers, employees, contractors, agents of these entities, or any person who was involved with the donation.

“Emergency shelter” means a [shelter] homeless facility designed to provide [emergency] temporary shelter and appropriate and available services to [the] homeless families or individuals for up to six weeks.

“Homeless family” means a household with at least one dependent child under eighteen years of age that does not have a conventional home or is at risk of becoming homeless and has been determined eligible for shelter, or any other program for the homeless authorized by this chapter, pursuant to standards and criteria established by rule for eligibility, need, and priority; provided that the director may establish by rule exceptions to these eligibility requirements based on special circumstances; and that:

- (1) Is receiving assistance through any state or federal assistance program;
- (2) Is unable to find an affordable unit to rent; or
- (3) Has a sponsoring human service agency or provider agency that states verbally or in writing that the household does not have a conventional home or is at risk of becoming homeless.]

“Homeless” means:

- (1) An individual or family who lacks a fixed, regular, and adequate nighttime residence; or
- (2) An individual or family who has a primary nighttime residence that is:
 - (A) A supervised publicly or privately operated shelter designed to provide temporary living accommodations;
 - (B) An institution that provides temporary residence for individuals intended to be institutionalized; or
 - (C) A public or private place not designed for or ordinarily used as sleeping accommodations for human beings, pursuant to standards and criteria established by rule for eligibility, need, and priority for each program; provided that the authority may establish by rule exceptions to these eligibility requirements based on special circumstances.

“Homeless facility” means a development designed to provide shelter for homeless families or individuals pursuant to this chapter, or to facilitate any other homeless program authorized by this chapter, and may include emergency[, or transitional[, or permanent] shelters.

“Homeless shelter stipend” means a payment to a provider agency or to the authority on behalf of a homeless family or individual to assist with the costs of operating a homeless facility and providing appropriate services.

[“Permanent shelter” means a housing development designed to provide long-term shelter to households.]

“Provider agency” means an organization, including its board and officers and any employees, contractors, or agents, contracted by the [director] authority to provide labor and services to any homeless facility, or any other program for the homeless authorized by this chapter, that [has been:

- (1) Qualified as a charitable organization under section 501(c)(3) of the Internal Revenue Code of 1986, as amended; and
- (2) Qualified by the director to operate and manage a homeless facility, or any other program for the homeless authorized by this chapter, pursuant to standards and criteria established by duly adopted rules for eligibility and classification.] is:
 - (1) A profit organization incorporated under the laws of the State or a nonprofit organization determined by the Internal Revenue Service to be exempt from the federal income tax; or
 - (2) A nonprofit organization, with a governing board whose members have no material conflict of interest and serve without compensation with bylaws or policies that describe the manner in which business is conducted and policies that relate to nepotism and management of potential conflict of interest situations.

In addition, the organization shall be qualified by the authority to operate and manage a homeless facility, or any other program for the homeless authorized by this chapter, pursuant to standards and criteria established by duly adopted rules for eligibility.

“Transitional shelter” means a [shelter] homeless facility designed to provide [transitional] temporary shelter and appropriate and available services to homeless families or individuals for up to [eighteen] twenty-four months, pursuant to rule.

[[§358D-4]] Administration. The [director] authority shall administer this chapter [through the department]. The [director] authority may delegate to any person such power and authority vested in the [director] authority by this chapter as the [director] authority deems reasonable and proper for the effective administration of this chapter, except for the power to adopt rules.

[[§358D-5]] Duties; rules. (a) In addition to any other power or duty prescribed by law, the [director] authority shall administer and operate homeless facilities and any other program for the homeless authorized by this chapter; [enter into agreements with other state agencies or private providers necessary to assist the homeless;] establish programs for the homeless; and take any other actions necessary to effectuate the purposes of this chapter.

(b) The [director] authority shall adopt rules pursuant to chapter 91 for the purposes of this chapter; provided these rules, or any rules relating directly to homelessness authorized by any statute, shall be exempt from the public notice and public hearing requirements of chapter 91, and shall take effect immediately upon filing with the office of the lieutenant governor.

[[§358D-6]] Exception to liability for donors. (a) Any donor who gives money to a provider agency, to a homeless facility, to or through the authority, or for any other program for the homeless authorized by this chapter, shall not be liable for any civil damages resulting from the donation.

(b) Any donor who gives land and improvements, or who leases land and improvements at a nominal consideration, to a provider agency, to a homeless facility, to or through the authority, or for any other program for the homeless authorized by this chapter, shall not be liable for any civil damages resulting from the donation except as may result from the donor's gross negligence or wanton acts or omissions; provided that, if the donor at the time of donation gave the [director] authority a full accounting of all the dangers concerning the land and improvements known to the donor, then the donor shall not be liable for any civil damages resulting from the donation.

(c) Any donor who provides services or materials used to build and construct a homeless facility shall not be liable for any civil damages resulting from the donor's acts or omissions, except for damages resulting from the donor's gross negligence relating to the donation.

(d) The [director] authority shall be responsible for inspecting, reviewing, analyzing, qualifying, and determining that the land, structures, materials, or services donated to or through the authority for the homeless facilities, or other programs for the homeless, are reasonably safe for public use.

[[§358D-7]] Contract or conveyance to [provider agencies.] the authority. [(a) A state agency holding lands and improvements suitable for use or development for use as a homeless facility provided for under this chapter, may contract or otherwise convey such land and improvements, or the management, operation, and administrative responsibility over the land and improvements, to a provider agency, subject to terms authorized by this section, but only if petitioned to do so by the director.

(b) Notwithstanding any other law to the contrary, the board of land and natural resources or other state agency holding such lands and improvements, for purposes of this chapter, may contract or otherwise convey at a nominal consideration, by direct negotiation and without recourse to public auction, the land and improvements, or the management, operation, and administrative responsibility over the land and improvements, to [a provider agency.] the authority or its designee. The land and improvements shall be used by the [provider agency] authority or its designee for homeless facilities, or for any other program for the homeless authorized by this chapter.

[(c) The terms of any of the contract or conveyance shall allow for cancellation of the contract or conveyance should the director find the provider agency in default on any homeless services contract.]

[[§358D-8]] Program administration. To the extent that appropriations are made available, the [director shall contract one or more provider agencies] authority may contract with a provider agency to administer homeless facilities, or any other program for the homeless created by this chapter. [Shelter, or assistance through any other program for the homeless authorized by this chapter, shall be available only in areas where there is a provider agency, qualified by the director, available and willing to manage and operate an available homeless facility, or any other program for the homeless authorized under this chapter.] The selection of provider agencies to operate and manage state-owned homeless facilities shall not be subject to chapters 42D, 102, and 103. The selection of provider agencies shall be subject to qualifying standards and criteria established by rule.

[§358D-9] Time limits. To the extent that appropriations are made available, a provider agency shall provide shelter or any other program assistance authorized by this chapter to eligible homeless families and homeless individuals not later than two days, or such time as is set by rule which shall not be later than seven days, after they apply for the shelter or other program assistance.

[§358D-10] Determination of eligibility and need. (a) The provider agency operating and managing a homeless facility, or any other program for the homeless authorized by this chapter, or the authority operating and managing its own homeless facility, shall be responsible for [deciding] determining if an applicant is eligible for shelter or other services at the homeless facility or through any other program for the homeless, pursuant to standards and criteria established by rule.

(b) The provider agency or the authority operating and managing its own homeless facility shall determine the degree of need for each homeless family[,] or individual and in its determination shall consider the resources available and the number of potential eligible applicants in the area served by the [provider agency.] homeless facility or other program for the homeless authorized by this chapter.

[§358D-11] Abuse of assistance. (a) The provider agency operating and managing a homeless facility, or any other program for the homeless authorized by this chapter, or the authority operating and managing its own homeless facility, shall be responsible for [deciding] determining if a participant is no longer eligible for shelter or other services at the homeless facility or through any other program for the homeless, pursuant to standards and criteria established by rule.

(b) Pursuant to rule and the right of due process, the authority or its designee, or provider agencies [and the director] together with the authority, may act [collectively in barring] to bar homeless families or individuals from participating further in any homeless facility, [or through any other program for the homeless authorized by this chapter,] may issue a writ of possession, and take such other actions as provided by rule.

The enforcement of a writ of possession shall be effected either by an officer appointed by the authority, who shall have all of the powers of a police officer for all action in connection with the enforcement of the writ, or any other law enforcement officer of the State or any county, whose duty it shall be to enforce the writ. The person enforcing the writ shall remove all persons from the premises and put the authority or its designee, or the provider agency designated by the authority, in full possession thereof.

Upon eviction, the household goods and personal effects of the person against whom the writ is entered, and those of any persons using the premises incident to the person's holding, may be removed from the premises immediately and sold or otherwise disposed of by the authority or its designee, or the provider agency. If the action is taken, the authority or its designee, or the provider agency, shall have a lien on the property so removed for the expenses incurred by it in moving the property.

(c) Any person who enters or remains unlawfully in or upon the premises or living quarters of any homeless facility, or any other program for the homeless authorized by this chapter, after reasonable warning or request to leave by that provider agency's authorities, the authority or its designee, or a police officer, shall be guilty of a misdemeanor[.]; provided that the offense in this subsection shall be in addition to any other applicable offense in the Hawaii Penal Code. A warning or request shall only be issued if the person has engaged in unlawful conduct or has violated house rules and regulations; provided that the warning or request for violation of house rules and regulations shall be issued only if that provider agency,

or the authority or its designee, has filed a copy of its current house rules and regulations governing tenancy or participation at the shelter, facility, or program, and any changes thereto, with the director of commerce and consumer affairs. The house rules and regulations shall be reasonable and a copy shall be provided to each tenant or participant. The warning or request shall supersede any invitation by a tenant or participant at the shelter, facility, or program to that person to visit the premises or living quarters.

[[§358D-12]] Exemptions. (a) Any compensation received by a provider agency for services rendered to homeless families or individuals, or in operating or managing a homeless facility authorized by this chapter, is exempt from taxes under chapter 237.

(b) Any county mayor may exempt by executive order, donors and homeless provider agencies from real property taxes, water and sewer development fees, rates collected for water supplied to consumers and for use of sewers, and any other county taxes, charges, or fees; provided that any county may enact ordinances to regulate the exemptions granted by this subsection.

(c) Any provider agency operating or managing a homeless facility, or any other program for the homeless authorized by this chapter, is exempt, for purposes of those facilities or programs, from any requirements contained in part VIII of chapter 346, chapter 467, and chapter 521.

[[§358D-13]] Emergency/transitional shelter volunteers exempted. (a) For the purposes of this section, "emergency/transitional shelter volunteer" means an individual who:

- (1) Is a tenant at an emergency or transitional shelter administered pursuant to this chapter;
- (2) Is not an employee of the provider agency operating or managing the shelter;
- (3) Is under the direction of the provider agency operating or managing the shelter and not the [director] authority or State; and
- (4) Provides up to eighty hours of volunteer labor or services per month to the provider agency operating or managing the shelter, notwithstanding payment of stipends or credits for such labor and services.

(b) Provider agencies may accept labor and services from emergency/transitional shelter volunteers.

(c) In addition to any exemptions granted to nonpaid labor, emergency/transitional shelter volunteers who acknowledge in writing that they are emergency/transitional shelter volunteers, shall not be construed to be in the employ of the provider agency operating or managing the shelter. The volunteers' labor and services provided to the provider agency operating or managing the shelter shall not be construed to constitute employment, and the volunteers shall not be construed to be employees of the provider agency operating or managing the shelter, under [title 21 or] any [other] labor law.

[[§358D-14]] Annual program audits. (a) The [director] authority shall ensure that a compliance audit, paid for by the [department,] authority, by an independent auditing agency is carried out expeditiously for each fiscal year during which any provider agency dispensed shelter or assistance for any homeless facility or any other program for the homeless authorized by this chapter. The audit shall address all provider agencies for that type of facility or program and shall include recommendations to address any problems found. The auditing agency shall include a representative number of interviews with recipients of the shelter or other form of assistance as part of its compliance audit.

(b) Copies of each audit shall be submitted to the [director,] authority, the director of finance, the president of the senate, and the speaker of the house of representatives.

(c) Continuing contracts with provider agencies to participate in any program for the homeless authorized by this chapter shall contain a requirement that the provider agency shall address the recommendations made by the auditing agency, subject to exceptions as set by the [director,] authority.

(d) Failure to carry out the recommendations made by the auditing agency may be grounds for the [director] authority to bar a provider agency from further contracts for programs authorized by this chapter until the barred provider agency has addressed all deficiencies.

[[§358D-15]] Provider agency and donor cooperation are not in restraint of trade. No provider agency or [agencies,] any other agency, or donor or donors, or method or act thereof that complies with this chapter, shall be deemed a conspiracy or combination in restraint of trade or an illegal monopoly, or an attempt to lessen competition or fix prices arbitrarily, or the creation of a combination or pool, or to accomplish any improper or illegal purpose. Any cooperation or agreement established pursuant to rule shall not be considered as illegal, in restraint of trade, or as part of a conspiracy or combination to accomplish an illegal purpose or act.

[[§358D-16]] Construction of chapter. If there is any conflict between this chapter and any other law, [the provisions of] this chapter shall control.

§358D-17 Homeless shelter stipends. (a) Prior to July 1, 1992, homeless shelter stipends at transitional shelters shall not exceed \$350 per shelter unit housing a homeless family of four members per month. Prior to July 1, 1992, the stipend for emergency shelters shall not exceed \$10 per shelter bed per night. The stipend limits shall be adjusted by the authority on July 1, 1992, and each first day of July thereafter, based on the change in the consumer price index for Honolulu for the preceding calendar year, rounded off to the nearest dollar. The authority may adopt rules under chapter 91 to establish exceptions to the stipend limits based on special circumstances.

(b) The authority may make or may contract to make homeless shelter stipend payments on behalf of one or more homeless families or individuals to a provider agency operating or managing an emergency or transitional shelter or, in the case that the authority itself operates and manages a homeless facility, to the authority in such amounts and under such circumstances as provided by rule. The contract may specify a minimum total amount of homeless shelter stipends to be received by a provider agency for making its shelter and services available to eligible homeless families or individuals, pursuant to rule.

(c) In making homeless shelter stipend payments to a provider agency the authority may establish minimal services to be provided by the provider agency to homeless families or individuals at the agency's shelter. The authority may also direct provider agencies to establish and manage a savings account program as described in subsection (d). Additionally, the authority may direct provider agencies to subcontract for outreach services from other private agencies specializing in programs for the unsheltered homeless.

(d) Provider agencies and the authority may establish and collect shelter and services payments from homeless families or individuals in addition to the amount received in homeless shelter stipend payments pursuant to rule. Provider agencies and the authority may also set aside a portion of the payments in a savings account

to be made available to homeless families or individuals when these families and individuals vacate the shelter.

(e) Selection of provider agencies to receive homeless shelter stipends shall not be subject to chapters 42D, 102, or 103; provided that the selection of provider agencies receiving homeless shelter stipends shall be subject to rules adopted under chapter 91, which ensure compliance with Article VII, section 4, of the Constitution of the State of Hawaii."

SECTION 2. Section 346-53.5, Hawaii Revised Statutes, is repealed.

SECTION 3. Act 279, Session Laws of Hawaii 1992, is amended by amending sections 1, 2, and 3 to read as follows:

"SECTION 1. The legislature finds that the issue of homelessness in Hawaii is a public issue and should be regarded as one of the most significant social problems facing the people of the State today. The severity of the problem is visible in every area of the State, and signs that the problem is growing progressively worse are becoming more and more prevalent. Without exception, the problem of homelessness affects the lives of every person in the State, and the burden of rectifying this problem should be approached as a collective responsibility. While there are no easy solutions to the problem, it is clear that community involvement in the fight against homelessness is the key toward the development of an effective and workable system.

The purpose of this Act is to conduct a [two-year] five-year homeless assistance pilot project known as the "Hale Kokua" project which would authorize the payment of a state grant and a monthly rent supplement to any interested property owner who sets aside any existing rental space or undertakes the improvement or construction of any adjoining or separate dwelling unit for the purpose of renting the unit to any family or individual classified as employed but homeless under the program for a period of five years. Participation in the Hale Kokua project will be strictly voluntary.

The project, [which initially, will be limited in scope to the city and county of Honolulu,] will preliminarily place a priority on placing homeless families who have been homeless in the State the longest and have been living in transitional shelters, parks, cars, the streets, or other public areas in rental housing made available under the program. To ensure that no particular district or community of the [city and county] State is unduly burdened by the sudden influx of homeless families holding rental contracts with qualified homeowners under the project, the number of homeowners authorized to take part in the Hale Kokua project will be limited to five per census tract. [With approximately one hundred ninety-six census tracts throughout the city and county of Honolulu, the project will carry the potential of making nine hundred eighty units available to homeless families on Oahu. With an average of two and one-half members per homeless family, the program may ultimately provide homes for 2,450 people during the initial phase of the program alone. Over the long term, the purpose of the Hale Kokua project will be to develop the framework to implement the system statewide.]

The Hale Kokua project will assist homeless families and individuals willing to engage in self-improvement programs and regular employment with an alternative to living in homeless shelters where homeless families as well as the special needs homeless are indiscriminately grouped together. Accordingly, the project will allow other available programs to focus more intently on the problems of the special needs homeless. This Act also calls for the establishment of a cooperative effort between the State, the counties, and the federal government to provide the community and the Hale Kokua project with the resources and the

incentives to eliminate the condition of homelessness. Because the Hale Kokua project shares the capital development costs of building rental units between the public and private sector, the cost of implementing this program will be far less than the cost of building new homeless shelter facilities.

Because the project has the potential to drastically reduce the actual number of homeless families and individuals living in public areas, full and free access to Hawaii's malls, streets, parks, and camp grounds will be restored, enabling stricter enforcement of the State's public access laws by the law enforcement community. As a result, the overall quality of life for all of the people will be enriched and Hawaii's reputation as one of the most beautiful areas in the world to visit will be enhanced.

SECTION 2. There is established, within the Hawaii housing authority, a [two-year] five-year homeless assistance pilot project to be known as the "Hale Kokua" project to provide incentives and assistance to private homeowners in the [city and county of Honolulu] State who set aside existing dwelling units, or construct new or improve existing dwelling units, for rental for a period of five years by families or individuals classified as employed but homeless under the project. The project shall be headed by the state homeless programs coordinator with the assistance of the homeless assistance coordinating committee. The executive director of the Hawaii housing authority shall administer the Hale Kokua project and adopt the standards and the framework necessary to implement the project statewide after the initial phase of the project.

SECTION 3. The executive director of the Hawaii housing authority shall appoint a state homeless programs coordinator to carry out the purposes of this Act and to coordinate all programs and responses of state agencies as to the problem of homelessness. The coordinator may be assisted by an administrative assistant and one clerical position, both appointed by the executive director without regard to chapters 76 and 77, Hawaii Revised Statutes. The coordinator, with approval of the executive director, may contract with private services to carry out the duties and responsibilities of the project.

Under the supervision of the executive director, the duties of the coordinator shall include:

- (1) Carrying out the requirements of the Hale Kokua project under this Act;
- (2) Developing and adopting the requirements, qualifications, registration, background check, initial screening procedures, and follow-up after placement, to determine the ability to make rental payments and the need for social services and referrals for homeless families and individuals to qualify them as tenants under this project. The coordinator shall place a priority on arranging the placement of homeless families living in transitional shelters, parks, cars, camp grounds, on the streets, or other public areas, into rental units under this project;
- (3) Developing and adopting the requirements, qualifications, and the registration procedures for property owners who provide rental housing to qualified homeless tenants, provided that priority shall be given to those not requesting construction grants;
- (4) Developing appropriate waivers of liability; and adopting the procedures to place qualified homeless tenants with property owners participating in the project. Participating property owners shall be given the opportunity to conduct interviews and make the final tenant selection from lists of prospective tenants compiled by the coordinator;

- (5) Establishing the procedures and requirements for the disbursement of building improvement grants and rental subsidies and the amounts thereof to property owners participating in the project;
- (6) Working with the counties to develop and propose uniform incentives to encourage and facilitate the participation of property owners, including real property tax waivers or reductions, and exemptions in zoning or building code requirements;
- (7) Monitoring the financial status and progress of recovery of the homeless tenants and cooperating with other agencies in establishing and coordinating self-help, job training, and other self-improvement programs for the homeless;
- (8) Promoting and assisting in the development of employer-employee relationships between homeless tenants and participating property owners, including but not limited to tenant caretaker, housekeeper, or groundskeeper employment situations;
- (9) Assisting homeless families and individuals wishing to return or relocate to out-of-state locations to carry out their relocation;
- (10) Securing financial, in-kind, and administrative assistance from law enforcement and other state and county agencies and the private sector to implement the project;
- (11) Securing funding assistance from federal agencies and programs involved in housing development, job-training, or homeless assistance;
- (12) Adopting rules under chapter 91, Hawaii Revised Statutes; provided that any rules adopted within one year after the effective date of this Act shall be exempt from the public notice and public hearing requirements of chapter 91;
- (13) Reporting monthly to the homeless programs coordinating committee;
- (14) Monitoring the progress of the Hale Kokua project, and collecting annual statistics showing the numbers of homeless people, homeless families, and homeless children, using measurement systems with a view to uniformity with national surveys on homelessness;
- (15) Preparing [an] annual interim [report] reports on the status of the Hale Kokua project during [the first] each year of its operation, for submittal to the [1993] legislature by the authority, which shall include the statistics listed above and other relevant information; and
- (16) Preparing a final report for submittal to the [1994] 1997 legislature by the authority at the end of the Hale Kokua project pilot period containing findings, the framework to implement the project statewide, and recommendations, which shall include means of encouraging participating property owners to sign up for additional terms."

SECTION 4. Act 279, Session Laws of Hawaii 1992, is amended by amending sections 5 and 6 to read as follows:

"SECTION 5. The coordinator shall permit the participation of a maximum number of five property owners in the Hale Kokua project within each census tract at any given period in time, without regard to the existence or operation of shelters and other facilities to aid the homeless in the tract. The coordinator shall notify prospective participants registered on the waiting list in each census tract of the opportunity to participate in the project as these opportunities may arise in each tract.

Assistance to any qualified property owner providing rental housing to any homeless tenant under this Act for a period of five years shall include, but not be limited to, at least one of the following:

- (1) The payment of up to \$7,500 as a state grant to offset the cost of renovating, improving, building any adjoining addition, or constructing any separate structure upon the premises of the owner's property in preparation for its use as a homeless assistance unit under the project;
- (2) The payment of up to a \$300 monthly state rent subsidy to supplement the monthly rental payments made by the homeless tenant;
- (3) Real property tax rate waivers or reductions proposed by the coordinator and approved by the council of the county in which the property is located;
- (4) Zoning and building code exemptions applicable to the construction of adjoining or separate dwelling units on the owner's property, provided that the county, by ordinance, may establish minimum development and construction standards for these units and procedures for approval thereto; and
- (5) Other incentives consistent with the purposes of this Act to assist in the participation of property owners under the project that are adopted by the state homeless programs coordinator.

SECTION 6. (a) Any property owner who withdraws from the Hale Kokua project prior to the expiration of five years shall return the state grant for construction improvements within ninety days of the date of withdrawal. The coordinator shall effect the recovery of the grant, including but not limited to the filing of liens against the real property of withdrawing property owners. In any action brought to enforce this Act, the coordinator shall be awarded reasonable attorneys' fees and costs as determined by the court.

(b) The respective county government whose jurisdiction includes the site shall determine the disposition of the additional unit constructed with the grant."

SECTION 5. Act 279, Session Laws of Hawaii 1992, is amended by amending section 8 to read as follows:

"SECTION 8. This Act shall take effect upon its approval¹ and shall be repealed on July 1, [1994;] 1997; provided that the repeal of this Act shall not affect the right to recover grants, attorneys' fees, and other costs under section 6."

SECTION 6. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun, before its effective date.

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 8. This Act shall take effect upon its approval.

(Approved May 21, 1993.)

Note

1. Prior to amendment "," appeared here.