

A Bill for an Act Relating to the Homeless.

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

SECTION 1. Housing first, also known as rapid re-housing, is a recent innovation in human-service programs meant to assist homeless individuals. Housing first is an alternative to a system of emergency shelters and transitional housing progressions. Rather than moving homeless individuals through different levels of housing on their way to independent living, housing first moves homeless individuals immediately to their own apartments. By creating a stable housing environment, other issues that affect the household can be addressed, including employment, job training, and health care.

Homeless individuals, especially the chronically homeless with disabilities such as addictions and mental illnesses, are extremely fragile. Chronically homeless individuals are the least likely of the homeless population to reach independent living.

The purpose of this Act is to establish a housing first special fund to fund housing first programs and services and to require the Hawaii public housing authority to implement housing first programs and services, as the authority deems appropriate for clientele who would most likely benefit and succeed from housing first programs and services, and subject to the availability of existing funds or housing first special fund moneys.

SECTION 2. Chapter 356D, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

“§356D-A Housing first special fund. (a) There is established in the state treasury the housing first special fund, into which shall be deposited:

- (1) Appropriations by the legislature to the special fund; and
- (2) Gifts, donations, and grants from public agencies and private persons.

Each county may provide matching funds, which shall also be deposited into the housing first special fund.

(b) Moneys in the housing first special fund shall be administered and expended by the Hawaii public housing authority and shall be used to provide housing first programs and services.

§356D-B Housing first programs. (a) The Hawaii public housing authority, in collaboration with the department of human services and consultation with the United States Department of Housing and Urban Development, as necessary, shall implement housing first programs and services, as the authority deems appropriate for clientele who would most likely benefit from and succeed with the implementation of housing first programs and services, and subject to the availability of existing funds or housing first special fund moneys.

(b) The principles of housing first include:

- (1) Moving chronically homeless individuals into housing directly from streets and shelters, without a precondition of accepting or complying with treatment; provided that the authority may condition continued tenancy through a housing first program on participation in treatment services;
- (2) Providing robust support services for program participants, predicated on assertive engagement instead of coercion;

- (3) Granting chronically homeless individuals priority as program participants in housing first programs;
- (4) Embracing a harm-reduction approach to addictions, rather than mandating abstinence, while supporting program-participant commitments to recovery; and
- (5) Providing program-participants with leases and tenant protections as provided by law.

The Hawaii public housing authority, in collaboration with the department of human services, may contract with housing first consultants to effectuate the purposes of this section.

(c) Housing first programs shall incorporate the following:

- (1) Identification of target populations, specifically chronically homeless individuals;
- (2) Developing assessments for the chronically homeless population;
- (3) Developing service components, including:
 - (A) Financial assistance;
 - (B) In-home case management services;
 - (C) Affordable housing requirements;
 - (D) Landlord cultivation;
 - (E) Housing-placement requirements; and
 - (F) Support services to move program-participants toward self-sufficiency.

(d) The Hawaii public housing authority, in collaboration with the department of human services, shall submit an annual report to the legislature no later than twenty days prior to the convening of each regular session, beginning with the regular session of 2011. The annual report shall include:

- (1) The total number of participants in housing first programs;
- (2) The annual costs of the programs;
- (3) The types of support services offered; and
- (4) Information regarding the duration of services required for each participant.

(e) As used in this section, "chronically homeless individual" means a homeless individual who has an addiction or a mental illness, or both."

SECTION 3. New statutory material is underscored.¹

SECTION 4. In codifying the new sections added by section 2 of this Act, the revisor of statutes shall substitute appropriate section numbers for the letters used in designating the new sections in this Act.

SECTION 5. In codifying the new sections added by section 2 of this Act, the revisor of statutes shall, as appropriate:

- (1) Add the two new sections in section 2 of this Act to chapter 346, Hawaii Revised Statutes;
- (2) Substitute the words "department of human services" or "department" wherever the words "Hawaii public housing authority" or "authority" appear;
- (3) Substitute "section 346-A" or "§346-A" wherever "section 356D-A" or "§356D-A" appear; and
- (4) Substitute "section 346-B" or "§346-B" wherever "section 356D-B" or "§356D-B" appear.

SECTION 6. This Act shall take effect on July 1, 2010; provided that section 5 shall take effect upon the enactment of Senate-Bill No. 910, S.D. 1,

H.D. 2, C.D. 1² or any other House or Senate bill passed by the 2010 legislature which transfers homeless programs from the Hawaii public housing authority to the department of human services.

(Became law on July 6, 2010, without the governor's signature, pursuant to Art. III, §16, State Constitution.)

Notes

1. Edited pursuant to HRS §23G-16.5.
2. Act 89.