

A Bill for an Act Relating to Housing.

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

### PART I

SECTION 1. The legislature finds that homelessness continues to be one of the State's most significant and challenging social problems. The legislature further finds that according to a recent report, fourteen thousand two hundred homeless individuals were served through shelter and outreach programs in fiscal year 2011. Of these individuals, nine thousand seven hundred eighty-one resided in the city and county of Honolulu. The legislature also finds that homeless service providers estimate that six thousand homeless people in the State need shelter each night.

The legislature additionally finds that homelessness is a complex issue that requires continuous resources and coordinated efforts at all levels. The legislature also finds that homeless persons face a myriad of issues, including mental illness, substance abuse, loss of employment and income, and a lack of affordable housing. Appropriate funding for programs and services tailored to address these issues is essential.

The purpose of this part is to better assist individuals facing or experiencing homelessness by funding various homeless and housing programs.

SECTION 2. There is appropriated out of the general revenues of the State of Hawaii the sum of \$300,000 or so much thereof as may be necessary for fiscal year 2013-2014 for substance abuse treatment and mental health support services for individuals who are homeless or at risk of becoming homeless.

The sums appropriated shall be expended by the department of health for the purposes of this part.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$200,000 or so much thereof as may be necessary for fiscal year 2013-2014 for clean and sober housing support services to be administered by the alcohol and drug abuse division of the department of health.

The sums appropriated shall be expended by the department of health for the purposes of this part.

### PART II

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$1,000,000 or so much thereof as may be necessary for fiscal year 2013-2014 for a rental assistance program, also known as a shallow subsidy program, for homeless working individuals and their families who are ready to rent permanent housing to obtain and maintain permanent housing; provided that:

- (1) The maximum subsidy shall be \$300 per month; provided that in order to qualify for the subsidy, a household shall pay a minimum of forty per cent of their adjusted gross income for rent; and
- (2) A household's adjusted gross income shall be calculated in the same manner as calculated by the Hawaii public housing authority to qualify for public housing under the authority's control.

The sums appropriated for program and administrative costs associated with establishing and operating the shallow subsidy program shall be expended by the department of human services through a contract issued pursuant to chapter 103F, Hawaii Revised Statutes, and sums appropriated for staff within the homeless programs office to administer the program shall be expended by the department of human services for the purposes of this part.

### PART III

SECTION 5. The legislature finds that housing first programs are a collaborative effort between the department of human services and the United States Department of Housing and Urban Development that provides housing and support services for chronically homeless individuals, including those who have an addiction or mental illness, or both. The principles of housing first programs include:

- (1) Moving chronically homeless individuals into housing directly from streets and the shelters without a precondition of accepting or complying with treatment;
- (2) Providing robust support services for program participants that are predicated on assertive engagement rather than 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 housing first programs in the State closely resemble the requirements of the United States Housing and Urban Development shelter plus care program and the Veterans Administration veteran's assisted supportive housing voucher program for homeless veterans. In its December 2011 report to the legislature pursuant to section 346-378, Hawaii Revised Statutes, the department of human services reported that the State has six hundred fifty-eight permanent housing placements plus support services through the shelter plus care and veteran's assisted supportive housing voucher programs.

The purpose of this part is to appropriate funds to the department of human services to support the State's housing first programs in assisting Hawaii's chronically homeless who are often the most vulnerable, most visible, and most difficult to serve.

SECTION 6. There is appropriated out of the general revenues of the State of Hawaii the sum of \$750,000 or so much thereof as may be necessary for fiscal year 2013-2014 to be deposited to the credit of the housing first special fund established under section 346-377, Hawaii Revised Statutes, for the department of human services to continue to administer housing first programs for chronically homeless individuals in the State.

SECTION 7. There is appropriated out of the housing first special fund the sum of \$750,000 or so much thereof as may be necessary for fiscal year 2013-2014 for the department of human services to continue to administer housing first programs for chronically homeless individuals in the State.

The sums appropriated shall be expended by the department of human services for the purposes of this part.

**PART IV**

SECTION 8. The legislature finds that the purpose of the United States Department of Housing and Urban Development's homelessness prevention and rapid re-housing program was to provide economically distressed households and individuals with financial and other assistance to prevent them from becoming homeless and help those who are experiencing homelessness to be quickly re-housed and stabilized. The funds under this program were intended to target individuals and families who would be homeless but for this assistance.

The department of human services administered the homelessness prevention and rapid re-housing program to provide homeless prevention and housing assistance to all eligible individuals and households who apply through contracted organizations. The funds from the program provided for a variety of assistance, including short-term or medium-term rental assistance and housing relocation, and stabilization services, such as mediation, security or utility deposits, utility payments, moving cost assistance, and case management.

The purpose of this part is to appropriate funds to the department of human services to once again provide homelessness prevention and rapid re-housing assistance to all eligible individuals and households.

SECTION 9. There is appropriated out of the general revenues of the State of Hawaii the sum of \$150,000 or so much thereof as may be necessary for fiscal year 2013-2014 for the homelessness prevention and rapid re-housing program.

The sums appropriated shall be expended by the department of human services for the purposes of this part.

**PART V**

SECTION 10. The shelter plus care program of the United States Department of Housing and Urban Development provides rental assistance in connection with supportive services. The program provides a variety of permanent housing choices, accompanied by a range of supportive services funded through other sources. The program assists hard-to-serve homeless individuals with disabilities and their families. These individuals primarily include those with serious mental illness, chronic problems with alcohol and drugs, and HIV, AIDS, or related diseases.

There are four components to the shelter plus care program: single room occupancy component — moderate rehabilitation for single-room occupancy dwellings; sponsor-based rental assistance component; project-based rental assistance component; and tenant-based rental assistance component. Under all components, supportive services must be available to meet the needs of participants. Similar to many other federal programs, the shelter plus care program has a match requirement. Applicants must match the aggregate amount of shelter plus care rental assistance with supportive services. This ensures that appropriate and timely services will be available to meet the needs of individual participants.

The purpose of this part is to provide matching funds for the shelter plus care program.

SECTION 11. There is appropriated out of the general revenues of the State of Hawaii the sum of \$400,000 or so much thereof as may be necessary for fiscal year 2013-2014 for matching funds for the shelter plus care program of the United States Department of Housing and Urban Development.

The sums appropriated shall be expended by the department of human services for the purposes of this part.

## PART VI

SECTION 12. The legislature finds that many homeless persons are known to thrive better when they have ready access to familiar support groups or family members. The intent of the return-to-home program is to ensure that those individuals who find themselves homeless in the islands are able to reconnect with support networks ready and able to receive them.

The purpose of this part is to establish a three-year return-to-home program for eligible homeless individuals.

SECTION 13. (a) The department of human services may coordinate a voluntary homeless assistance pilot program to be known as the return-to-home pilot program to provide eligible homeless individuals with assistance in being reunited with family and relatives in the individual's home state. The department may contract with eligible non-profit organizations, for profit organizations, or foundations to administer the pilot program.

(b) No individual who is homeless shall be eligible to participate in the return-to-home pilot program unless:

- (1) The individual's participation is completely voluntary;
- (2) The individual, if on parole, probation, or awaiting a court hearing or sentencing, has proper clearance from the court to participate in the pilot program; and
- (3) The individual is indigent and lacks the financial resources necessary to secure transportation to return to the individual's home state.

(c) An individual may participate in the return-to-home pilot program only once and shall sign an agreement to this effect before participating in the pilot program. The agreement shall be kept on file with the pilot program.

(d) The return-to-home pilot program shall actively seek the participation of local airlines, cruise lines, charter companies, homeless programs, travel agencies, and the visitor industry to coordinate and implement the pilot program.

(e) The return-to-home pilot program shall assist program participants with necessary and proper preparations for travel, including obtaining proper identification, accessing public transportation to the airport, providing orientation relating to airport security, and ensuring sufficient personal hygiene.

(f) The return-to-home pilot program shall cease to exist on December 31, 2016.

SECTION 14. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2013-2014 for implementation of the return-to-home pilot program, including all program costs and hiring of necessary staff.

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

## PART VII

SECTION 15. The legislature finds that homelessness continues to be one of the State's most significant and challenging social problems. The number

of homeless persons in the State, estimated to be approximately six thousand on any given day, is indicative of the limited shelter space available.

The legislature further finds that new and innovative solutions are needed to address the homelessness crisis. Oregon, for example, has adopted laws that authorize political subdivisions to allow religious institutions to offer overnight camping space for homeless persons living in vehicles. Similarly, Santa Barbara, California, has instituted a program that allows private organizations to use county-owned parking lots to provide overnight sleeping space for homeless persons with vehicles.

The purpose of this part is to establish a homeless assistance working group to work within each local neighborhood in each county to identify, plan, and implement housing options for homeless persons in each local community by December 31, 2013, that reflect shared responsibility for addressing homelessness in Hawaii.

SECTION 16. (a) There is established within the department of human services a homeless assistance working group. The purpose of the working group shall be to:

- (1) Work within each local neighborhood in each county to identify various private and public properties whose owners are interested in partnering with the local neighborhood and government to provide land or structures that can be used to provide temporary homes for homeless persons, including people who are living in their motor vehicles;
- (2) Coordinate with the State's homeless programs office and continuum of care providers to match homeless persons in every community with appropriate care and housing;
- (3) Work with non-profit organizations, businesses, and government agencies that may be willing to offer their property for homeless persons living in their motor vehicles and coordinate voluntary participation and support to homeless persons;
- (4) Create, develop, and support the housing options within each local community; and
- (5) Communicate and coordinate with the Hawaii interagency council on homelessness on meeting their goals.

(b) The director of human services, or a designee, shall convene the working group and invite the following as members:

- (1) Representatives of homeless service providers;
- (2) Representatives of community and volunteer service organizations, which may include:
  - (A) Community associations;
  - (B) Neighborhood boards; and
  - (C) Faith-based organizations;
- (3) Representatives of property owners who are interested in partnering with the State to provide land, homes, or buildings that can be used to provide homes for homeless persons;
- (4) Representatives of the homeless community who are currently experiencing or formerly experienced homelessness;
- (5) Representatives of environmental organizations;
- (6) Representatives of the architecture, engineering, development, and building industry;
- (7) Representatives of other businesses, including realtors and financial institutions;
- (8) Representatives of labor unions;

- (9) Representatives of legal services;
- (10) Representatives of the technology community;
- (11) Various federal, state, and county and city representatives, including the chair of the Hawaii interagency council on homelessness and homeless programs office administrator;
- (12) Interested federal, state, county, and city elected officials; and
- (13) Others interested in supporting homeless assistance.

The members of the working group shall designate a chair from among themselves and serve without compensation.

(c) The working group shall convene within thirty days of the effective date of this Act.

(d) The working group shall submit an interim report of its findings and recommendations, including the progress made to provide housing and support services, as appropriate, for homeless persons and any innovative temporary housing solutions, to the legislature no later than one hundred fifty days after the effective date of this Act.

(e) The homeless assistance working group shall dissolve on June 30, 2016.

SECTION 17. There is appropriated out of the general revenues of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2013-2014 for the construction and demonstration of innovative temporary housing solutions as they relate to the working group's findings and recommendations.

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

### PART VIII

SECTION 18. This Act shall take effect on July 1, 2013; provided that part VI shall take effect no later than December 31, 2013.

(Approved June 27, 2013.)