
A BILL FOR AN ACT

RELATING TO SQUATTING.

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

SECTION 1. The legislature finds that squatting presents a challenging and legally complex issue in the State. Black's Law Dictionary defines squatting as "the unlawful occupation and use of a building or land as one's own without permission or ownership rights." The legislature further finds that the most prevalent instances of squatting in Hawaii are when a property owner cannot be contacted to make a trespass complaint, leaving the property vacant or abandoned and accessible to squatters. Without the property owner's trespass complaint, law enforcement officers cannot remove squatters when neighbors call to report public nuisances. This leaves the community without an effective legal remedy and hinders the enforcement of trespass laws.

The legislature also finds that squatting sometimes presents complex legal issues. In some instances, a property owner may claim that occupants are trespassing as squatters while the occupants claim they are former or present tenants, with legal rights pursuant to chapter 521, Hawaii Revised Statutes, the residential landlord-tenant code. The legislature recognizes that the eviction process can be costly and time-consuming for both parties and, therefore, believes the issue should be studied to identify a more efficient process for addressing squatting in Hawaii.

Accordingly, the purpose of this Act is to establish a working group to analyze the issue of squatting in Hawaii and provide recommendations to address it effectively.

SECTION 2. There is established within the department of the attorney general for administrative purposes a working group to examine and analyze the issue of squatting in Hawaii and provide

recommendations to address it effectively. The working group's analysis shall include:

- (1) A clear definition and understanding of the behaviors or actions that constitute squatting;
- (2) Identification and analysis of the various circumstances in which squatting may occur, including:
 - (A) Vacant and abandoned properties;
 - (B) Instances in which a property owner cannot be located or contacted;
 - (C) Instances in which a property is in the process of foreclosure; and
 - (D) Disputes between property owners and occupants in which the property owner claims the occupant is squatting and the occupant claims authorized residency as a former or current tenant;
- (3) Recommendations for addressing squatting in each of the identified circumstances;
- (4) Recommendations to proactively prevent squatting;
- (5) Recommendations to resolve community impacts caused by squatting, including through the judicial system, law enforcement, and community action; and
- (6) An analysis of policy and legislative considerations regarding squatting, including trespass, adverse possession, eviction, loitering, and termination of tenancy.

SECTION 3. (a) Members of the squatting working group shall include the following persons or their designees:

- (1) The attorney general, who shall serve as chair of the working group;
- (2) The director of law enforcement;
- (3) The director of human services;
- (4) The director of commerce and consumer affairs;
- (5) A representative from the judiciary, to be appointed by the chief justice;

- (6) The chief of police from each county;
- (7) The prosecuting attorney from each county;
- (8) The governor's coordinator on homelessness;
- (9) The chair of the senate standing committee having primary subject-matter jurisdiction over the judiciary;
- (10) The chair of the house of representatives standing committee having primary subject-matter jurisdiction over the judiciary;
- (11) The chair of the senate standing committee having primary subject-matter jurisdiction over housing;
- (12) The chair of the house of representatives standing committee having primary subject-matter jurisdiction over housing;
- (13) A representative from the Legal Aid Society of Hawaii, who shall be invited to participate;
- (14) A representative from the Honolulu Tenants Union, who shall be invited to participate;
- (15) A representative from the Hawaii Association of Realtors, who shall be invited to participate;
- (16) A representative from the Chamber of Commerce Hawaii, who shall be invited to participate;
- (17) A representative from the Hawaii Housing Alliance, who shall be invited to participate;
- (18) A representative from the Hawaii Appleseed Center for Law and Economic Justice, who shall be invited to participate;
- (19) A representative from the banking or mortgage industry, who shall be invited to participate; and
- (20) Any other stakeholders as determined by the chair, or a majority of members of the working group, including:
 - (A) An individual having legal expertise on the issue of squatting;
 - (B) An individual having expertise in housing policy;
 - (C) Attorneys having expertise and experience in the landlord-tenant code; provided that at least one shall have experience representing landlords and at

least one shall have experience representing tenants; and

(D) A representative from academia who has studied squatting.

(b) The members of the working group shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties.

(c) The working group shall cease to exist on June 30, 2027.

(d) The working group shall submit a preliminary report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2026.

The working group shall submit a final report of its findings and recommendations, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2027.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY: _____

Report Title:

Squatting; Squatters; Working Group; AG; Landlord-Tenant Code; Property; Housing; Law Enforcement; Trespass; Report to Legislature

Description:

Establishes a working group within the Department of the Attorney General to study the issue of squatting in Hawaii and provide recommendations. Requires reports to the legislature.

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

