

Honolulu, Hawaii

April 25, 2007

RE: S.B. No. 920
S.D. 1
H.D. 1
C.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 920, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to prevent abuses that may occur from the distribution of condominium association membership lists. Specifically, this measure prohibits:

- (1) The use or distribution of membership lists without the prior written consent of the condominium association's board of directors; and
- (2) The condominium's managing agent, manager, and board of directors from using information from membership lists to create any separate list as a means of evading the restrictions on the use of such information.



Your Committee finds that condominium association member lists are the property of the association and members' information must be kept private. The intent of this measure is to stop managing agents from using condominium member lists without the prior written consent of the board of directors of a condominium association.

Your Committee has amended this measure by:

- (1) Adding language to specify that the consent requirements and the restrictions on the creation of separate lists found in subsections (f) and (g) in section 2 of this measure shall not apply to any time share plan regulated under chapter 514E, Hawaii Revised Statutes; and
- (2) Making this measure effective upon approval.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 920, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 920, S.D. 1, H.D. 1, C.D. 1.


Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



ROBERT N. HERKES, Chair



BRIAN T. TANIGUCHI, Chair



