

Honolulu, Hawaii
Feb 5, 2008

RE: H.B. No. 2657
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Human Services & Housing, to which was referred H.B. No. 2657 entitled:

"A BILL FOR AN ACT RELATING TO TENANT SCREENING AGENCIES,"

begs leave to report as follows:

The purpose of this bill is to protect consumers by creating a regulatory process for tenant screening agencies.

The Office of Hawaiian Affairs and Legal Aid Society of Hawaii testified in support of this bill. The Hawaii Association of REALTORS supported the intent of this measure. The Department of Commerce and Consumer Affairs and Hawaii Civil Rights Commission provided comments.

Your Committee notes that it is not its intent for this legislation to diminish protections under the State's fair housing laws under Chapter 515, Hawaii Revised Statutes (HRS). Additionally, your Committee intends to request a sunrise analysis by way of a concurrent resolution.

Your Committee has amended this bill by:

- (1) Noting that this measure is not meant to authorize inquiries or allow consideration of information prohibited by Chapter 515, HRS, nor is it meant to diminish protections under Chapter 515, HRS;



- (2) Clarifying the definition of "prospective tenant report" to ensure that only information that can lawfully be considered under fair housing laws is used;
- (3) Removing language prohibiting the consideration of certain criminal records; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services & Housing that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2657, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2657, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Housing,



MAILE SHIMABUKURO, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCQ 117

Record of Votes of the Committee on Human Services & Housing

Bill/Resolution No.: HB 2657	Committee Referral: HSH, CPC, FIN	Date: 1/31/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. SHIMABUKURO, Maile S. L. (C)	X			
2. RHOADS, Karl (VC)	X			
3. AWANA, Karen Leinani	X			
4. BELATTI, Della Au	X			
5. BERTRAM, Joe, III				X
6. CABANILLA, Rida T.R.	X			
7. GREEN, Josh, M.D.	X			
8. MIZUNO, John	X			
9. TOKIOKA, James Kunane	X			
10. WARD, Gene, Ph.D.				X
TOTAL (10)	8			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align: center; font-size: 0.8em;">committee acronym(s)</div>				
Vice Chair's or designee's signature: <u>Paul Wood</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				