

Honolulu, Hawaii

Feb 26, 2010

RE: H.B. No. 2284  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2284 entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this bill is to continue temporary relief to small business lessees during the current economic recession. Act 189, Session Laws of Hawaii 2009, clarified burdensome or vague renegotiation provisions in commercial or industrial leases as they relate to the determination of "fair and reasonable" annual rent, without substantial reduction in the lessor's economic or ownership benefits. Specifically, this bill extends the sunset date of Act 189 from June 30, 2010, to June 30, 2015.

Citizens for Fair Valuation, Servco Pacific Inc., and numerous concerned individuals testified in support of this bill. The Land Use Research Foundation of Hawaii, HRPT Properties Trust, and Hawaii Association of REALTORS opposed this measure.

Your Committee has amended this bill by:

- (1) Extending the sunset date of Act 189 to June 30, 2011;  
and
- (2) Changing the effective date to December 21, 2058, to encourage further discussion.



As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2284, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2284, H.D. 1.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,

  
JON RIKI KARAMATSU, Chair



