

STAND. COM. REP. NO.

51

Honolulu, Hawaii

FEB 13 2009

RE: S.B. No. 663
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Education and Housing, to which was referred S.B. No. 663 entitled:

"A BILL FOR AN ACT RELATING TO DISCRIMINATION IN REAL
PROPERTY TRANSACTIONS,"

begs leave to report as follows:

The purpose of this measure is to amend the definition of "familial status" to specify that a non-parent individual cohabiting with any minor children must have evidence of legitimate consent of the child's parent to qualify for "familial status" under the state real property transaction laws.

The measure replaces the term "domiciled" with "cohabiting" and the phrase "has written or unwritten permission" with "possesses evidence of legitimate permission". The measure also defines the phrase "possesses evidence of legitimate permission" as "consent that is genuine and authentic, and not fabricated for purposes of subverting the law".

Testimony in support of this measure was submitted by one private business and one individual. Two organizations submitted testimony in opposition. One state agency submitted comments.

Your Committee finds that, while the intent of this measure is to provide for greater certainty regarding the familial status of a child, the proposed language raised a number of concerns by those testifying.



Your Committee has amended this measure accordingly, by restoring the current definition and deleting only the phrase "or unwritten".

As affirmed by the record of votes of the members of your Committee on Education and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 663, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 663, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Education and
Housing,

Norman Sakamoto

NORMAN SAKAMOTO, Chair



