



March 21, 2013

TO: SENATE COMMITTEE ON WAYS AND MEANS
Senator David Ige, Chair
Senator Michelle Kidani, Vice Chair

FROM: Daniel Dinell ARDA–Hawaii, Chair

RE: H.B. 424 HD1 SD1, Relating to Timeshare Conveyances

Position: Support

Dear Chair Ige, Vice Chair Kidani, and members of the Committee:

The American Resort Development Association (ARDA) Hawaii, the local chapter of the national timeshare trade association, supports H.B. 424 HD1, SD1 establishing a Hawaii State Timeshare Commissioner of Deeds.

Hawaii law allowed for authentication of real estate documents by a Hawaii State Commissioner of Deeds from 1915 to 1989. The law was repealed because the State had not ever appointed a Commissioner of Deeds. This bill would re-establish that program to allow for the sale of timeshare units located within Hawaii to take place in international waters and in foreign countries without having to secure approval of a U.S. State Department Consular officer or an apostille, which is a cumbersome and time consuming process.

The State of Florida has a similar program that has been in effect since 1988 and has worked well for the timeshare industry in Florida. We believe a similar program will work well to expand the pool of potential purchasers of Hawaii based timeshares. The original bill was amended by the House Committee on Consumer Protection and Commerce to include a bonding requirement and made other technical amendments. We support the bonding requirement and realize that there are several options as to where the bond would be held. We have no preference as to where it is held.

This measure was amended by the Senate Committee on Commerce and Consumer Protection to include additional consumer protections. We worked with the chair on those amendments and support retaining them in this bill. We look forward to hearing the testimony of the other stakeholders and working with them and the Committee to improve this bill as it moves through the legislative process.

Thank you for the opportunity to submit testimony in support of H.B. 424 HD1, SD1.

“Timeshare With Aloha”