

Honolulu, Hawaii

April 4, 2014

RE: S.B. No. 1236  
S.D. 1  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 1236, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO FIBER OPTICS,"

begs leave to report as follows:

The purpose of this measure is to deny a building permit on or after January 1, 2014, for the construction of new condominiums and planned communities that do not include infrastructure that will accommodate, at a minimum, fiber optic cable to be used to provide broadband television services.

The Department of Business, Economic Development, and Tourism and Hawaiian Telcom testified in support of this measure. The Department of Commerce and Consumer Affairs testified in support of the intent of this measure. The Hawaii Association of REALTORS provided comments on this measure.

Your Committee has amended this measure by:

- (1) Placing the fiber optic cable system requirement for new condominiums and planned communities under Chapter 46, Hawaii Revised Statutes, instead of Chapter 440J, Hawaii Revised Statutes;



- (2) Limiting applicability of the fiber optic cable requirement for new condominiums to new condominiums with ten or more units;
- (3) Clarifying that the required infrastructure shall be a fiber optic cable system that meets the standards established through rules adopted by the Director of Commerce and Consumer Affairs;
- (4) Specifying that the Director of Commerce and Consumer Affairs shall adopt rules pursuant to Chapter 91, Hawaii Revised Statutes, governing standards for fiber optic cable systems no later than December 31, 2014;
- (5) Changing the effective date to July 1, 2012, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1236, S.D. 1, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1236, S.D. 1, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ANGUS L.K. MCKELVEY, Chair



