

HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

RECEIVED

2016 FEB -8 P 6: 12

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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AMENDED NOTICE OF DECISION MAKING

DATE: Wednesday, February 10, 2016
TIME: 2:00 p.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A M E N D E D A G E N D A

The following measures were added to the agenda:
HB2248, HB1955

The following measure(s) were previously heard on **February 1, 2016**:

HB 1817
Status

RELATING TO DELINQUENT ASSESSMENTS.
Permits owners in a planned community association or condominium to submit a payment plan within thirty days after receiving notice from an association regarding any delinquent assessments and provides owners with time to cure delinquent assessments. Permits a right to judicially foreclose a lien against any unit or apartment that arises solely from delinquent assessments, including fines, penalties, legal fees, or late fees, to be removed or amended from governing documents by a vote of at least sixty-seven per cent of owners.

CPC, JUD

HB 1863
Status

RELATING TO CONDOMINIUMS.
Ensures that any surplus proceeds from an association foreclosure be paid to junior creditors and the former owner of the condominium instead of first being paid to the first mortgage holder.

CPC, FIN

The following measure(s) were previously heard on **February 8, 2016**:



<u>HB 2515</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Clarifies that when a unit owner and association reach a payment plan to cure a nonjudicial foreclosure, completion of the payment plan is required to cure the default. Prohibits an association from converting unpaid fines into fees that may cause a unit owner to default. Requires mediation by a unit owner and association over disputed fines before a foreclosure can be commenced.	CPC, JUD, FIN
<u>HB 2619</u> <u>Status</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Gives the Real Estate Commission enforcement powers over planned community associations.	CPC, JUD
<u>HB 2633</u> <u>Status</u>	RELATING TO PRODUCT LABELING. Establishes product labeling standards for products purporting to be Hawaiian sea salt or alaea salt.	CPC, FIN
<u>HB 1802</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Establishes the office of the condominium ombudsman, to be headed by the condominium ombudsman, within the department of commerce and consumer affairs. Appropriates funds for administrative costs associated with the establishment of the office of the condominium ombudsman.	CPC, FIN
<u>SB 805</u> <u>(HSCR1017)</u> <u>Status</u>	RELATING TO HEALTH. Removes the sunset provision from Act 255, Session Laws of Hawaii 2012, relating to the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse".	HLT, CPC
<u>HB 1626</u> <u>Status</u>	RELATING TO PRIVATE DETECTIVE AND PRIVATE GUARD IDENTIFICATION. Prohibits private detectives and private guards from self-identifying as law enforcement officers, police, or police officers and wearing or using any badge, uniform, equipment, vehicle, or other accoutrement capable of being associated with that of a law enforcement officer employed by a government law enforcement organization. Imposes a fine for violations.	CPC, JUD, FIN
<u>HB 2324</u> <u>Status</u>	RELATING TO INSURANCE. Adopts the National Association of Insurance Commissioners' ("NAIC") Risk Management and Own Risk and Solvency Assessment Act; applies chapter 431, Hawaii Revised Statutes, provisions to risk retention captive insurance companies; includes new corporate governance language from the NAIC Model Risk Retention Act.	CPC, FIN



HB 2325
Status

RELATING TO INSURANCE.

CPC, FIN

Makes various updates to title 24, Hawaii Revised Statutes, including: requiring property insurers to establish catastrophe reserve funds; requiring an insurer seeking to discontinue writing property coverage to file an affidavit; requiring the Insurance Commissioner's authorization for insurers providing residential property coverage; requiring insurers to file their premium tax statements electronically and to pay electronically; applying consumer protections to short-term health policies with preexisting conditions provisions; including physician assistant-delivered services under coverage for child health supervision for accident and health or sickness policies and for mutual benefit societies; requiring an entity to notify a claim filer under certain conditions; prohibiting a risk retention group from being a sponsor of and allowing it to be a participant in a sponsored captive insurance company; providing mental illness benefits coverage to licensed dietitians; requiring an entity's duty to respond to the Insurance Commissioner during an investigation or examination; providing visual or optometric services coverage for licensed physicians and optometrists and surgical or emergency services coverage for dentists under health plans of mutual benefit societies; providing coverage for pharmacist-delivered contraceptive services; and making other housekeeping and conforming amendments.

HB 2326
Status

RELATING TO MORTGAGE RESCUE FRAUD.

CPC, FIN

Harmonizes Hawaii's Mortgage Rescue Fraud Prevention Act with the Federal Trade Commission's Mortgage Assistance Relief Services Rule. Provides technical amendments.

HB 2283
Status

RELATING TO CHARITABLE SOLICITATION.

CPC, JUD

Amends chapter 467B, Hawaii Revised Statutes, to require affirmative disclosures to donors by professional solicitors, to clarify the chapter's exemptions from registration, and to make other technical amendments to Hawaii's charitable solicitation law.

HB 2320
Status

RELATING TO ESCROW DEPOSITORIES.

CPC, JUD

Clarifies chapter 449, Hawaii Revised Statutes, by adding definitions and change in control requirements. Identifies previously authorized fees for initial license issuance; adds a nominal fee for license reissuance upon licensee name change; moves fee for application for proposed change in control to fee section. Authorizes the commissioner to implement use of NMLS, and changes license renewal date from July 1 to December 31 to conform to NMLS. Adds criminal background check and disclosure requirements to licensure and change in control applications, and amends section 846-2.7, Hawaii Revised Statutes, accordingly.

HB 2329
Status

RELATING TO CONSUMER PROTECTION.

CPC, JUD

Clarifies that the statute of limitations governing it does not apply to the State and its agencies with respect to chapter 480, Hawaii Revised Statutes. Repeals subsection (b) of section 480-24, Hawaii Revised Statutes. Technical amendments.



<u>HB 1663</u> <u>Status</u>	RELATING TO PEN REGISTERS. Amends the definition of "pen register" to include cell phones and other communications devices among those that the numbers transmitted to and from may be recorded.	CPC, JUD
<u>HB 2716</u> <u>Status</u>	RELATING TO SELF-STORAGE FACILITIES. Authorizes limits in rental agreements on the liability of the owner of self-service storage facilities based on the monetary value of the stored property and allows owner to send notices by e-mail, publish notices of sales in any commercially reasonable manner, conduct sales online, and charge late fees.	CPC, JUD
<u>HB 2319</u> <u>Status</u>	RELATING TO MONEY TRANSMITTERS. Clarifies chapter 489D, Hawaii Revised Statutes, requirements for money transmitter licensee change in control application, including requirement for criminal background check of persons who will assume control of the licensee. Updates reference to federal Regulation E.	CPC, FIN
<u>HB 2487</u> <u>Status</u>	RELATING TO ELECTRONIC BENEFITS TRANSFER CARDS. Requires an electronic benefits cardholder to present photo identification for certain transactions.	CPC, JUD
<u>HB 2608</u> <u>Status</u>	RELATING TO DEFERRED DEPOSITS. Requires registration of check cashers, requires bond, requires verification that customer has only one deferred deposit agreement outstanding at any time, allows extended payment plan by customer, increases investigatory and enforcement powers, and increases penalties for violations.	CPC, JUD
<u>HB 2248</u> <u>Status</u>	RELATING TO CONDOMINIUM GOVERNING INSTRUMENTS. Clarifies procedures to amend condominium association declarations and bylaws.	CPC, JUD
<u>HB 1955</u> <u>Status</u>	RELATING TO VETERINARY TECHNICIANS. Establishes a framework for the regulation of veterinary technicians.	CPC, FIN

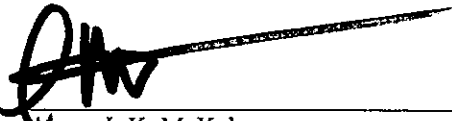
As this is a decision making meeting only, no public testimony will be accepted.

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Rep. Angus L.K. McKelvey
Chair

