

THE SENATE  
THE TWENTY-EIGHTH LEGISLATURE  
REGULAR SESSION OF 2016

COMMITTEE ON JUDICIARY AND LABOR

Senator Gilbert S.C. Keith-Agaran, Chair  
Senator Maile S.L. Shimabukuro, Vice Chair

NOTICE OF DECISION MAKING

DATE: Tuesday, March 01, 2016  
TIME: 9:05 a.m.  
PLACE: Conference Room 016  
State Capitol  
415 South Beretania Street

A G E N D A

THE FOLLOWING MEASURES WERE PREVIOUSLY HEARD IN THEIR RESPECTIVE STANDING COMMITTEES:

<a href="#"><u>SB 2954, SD1</u></a> <a href="#"><u>(SSCR2310)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO FIREARMS. Authorizes the Hawaii criminal justice data center to access firearm registration data. (SD1)	PSM, JDL
<a href="#"><u>SB 2956</u></a> <a href="#"><u>(SSCR2311)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO FIREARMS. Requires firearm owners who have been disqualified from owning a firearm due to mental illness to immediately surrender their firearms to the chief of police upon notification and authorizes the chief of police to seize the firearms if the owner fails to comply.	PSM, JDL
<a href="#"><u>SB 2813, SD1</u></a> <a href="#"><u>(SSCR2219)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	RELATING TO GUARDIANSHIP. Requires the courts to provide information relating to adult guardianships to the Hawaii criminal justice data center to disclose to the Federal Bureau of Investigation National Instant Criminal Background Check System database for gun control purposes. Requires the Hawaii criminal justice data center to maintain orders of appointment or information from orders of appointment for use in firearms permitting and registration. Takes effect January 1, 2017. (SD1)	PSM, JDL
<a href="#"><u>SB 2848</u></a> <a href="#"><u>(SSCR2019)</u></a> <a href="#"><u>Status &amp; Testimony</u></a>	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.	CPH, JDL



<p><b><u>SB 2666, SD1</u></b>  <u>(SSCR2047)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO INSURANCE.  Prohibits all insurers in the state, including health insurers, mutual benefit societies, health maintenance organizations, and health benefits plans under chapter 87A, Hawaii Revised Statutes, from discriminating with respect to participation and coverage under a policy, contract, plan, or agreement against any person on the basis of a person's actual gender identity or perceived gender identity. (SD1)</p>	<p>CPH, JDL</p>
<p><b><u>SB 2855, SD1</u></b>  <u>(SSCR2122)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO MORTGAGE RESCUE FRAUD.  Makes numerous amendments to Hawaii's mortgage rescue fraud prevention act, chapter 480E, Hawaii Revised Statutes, for consistency with the federal Mortgage Assistance Relief Services Rule. (SD1)</p>	<p>CPH, JDL</p>
<p><b><u>SB 2329, SD1</u></b>  <u>(SSCR2045)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO SECURITY INTERESTS IN REAL PROPERTY.  Requires a mortgagee or record assignee to provide to a mortgagor or borrower, upon full satisfaction of the mortgage and discharge of the secured debt, a reassignment or release of security interests in leases and rents that served as additional security for the mortgage. Authorizes title insurers or underwritten title companies to make demands on mortgagees and, in the absence of compliance, to reassign or release mortgagees' security interests in leases and rents on behalf of the mortgagee or record assignee, under certain conditions. Authorizes certain entities to institute an action in any circuit court to obtain the release or reassignment instrument in the absence of compliance of a mortgagee or record assignee. (SD1)</p>	<p>CPH, JDL</p>
<p><b><u>SB 2661, SD1</u></b>  <u>(SSCR2421)</u>  <u>Status &amp;</u>  <u>Testimony</u></p>	<p>RELATING TO CONDOMINIUMS.  Part I: Purpose section. Part II: 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; specifies that if a unit owner and an association have agreed on a payment plan to prevent a nonjudicial foreclosure from proceeding, any association fines imposed while the payment plan is in effect shall not be deemed a default under the payment plan; and clarifies the obligations of a unit owner and an association while a unit owner is not otherwise in default under a payment plan. Part III: Clarifies that the pay first, dispute later provisions in Hawaii's condominium law apply only to common expense assessments claimed by an association of apartment owners; specifies that a unit or apartment owner who disputes the amount of an assessment may request a written statement about the assessment from the association, including that a unit or apartment owner may demand mediation prior to paying contested charges, other than common expense assessments; specifies requirements for mediation on contested charges, except for common expense assessments; and repeals language that permitted associations to convert delinquent fines and late fees into delinquent common expense assessments, if certain conditions were met. Part IV: Makes conforming amendments. (SD1)</p>	<p>CPH, JDL</p>



**SB 3033, SD1**

(SSCR2123)

Status &  
Testimony

RELATING TO SELF-STORAGE FACILITIES.

CPH, JDL

Authorizes motor vehicle and boat towing options for self-service storage facilities after sixty days or more delinquency; provided that an occupant is provided notice. Requires owners to notify occupants via two of the following three methods: telephone number, electronic mail, or postal address. Allows owners to send notices by electronic mail, publish notices of sales in any commercially reasonable manner, conduct sales online, and charge late fees. 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. (SD1)

**SB 2246**

(SSCR2082)

Status &  
Testimony

RELATING TO TESTING FOR INTOXICANTS.

TRE, JDL

Repeals section 291E-68, Hawaii Revised Statutes, regarding refusing to submit to a breath, blood, or urine test for those arrested for the use of intoxicants while operating a vehicle. Makes conforming amendments to section 291E-15, Hawaii Revised Statutes.

**SB 2873**

(SSCR2050)

Status &  
Testimony

RELATING TO ORDERS FOR IMMEDIATE PROTECTION.

HMS, JDL

Amends section 346-231, Hawaii Revised Statutes, to address inconsistencies in statutory requirements regarding orders for immediate protection; and allows the Department of Human Services discretion when to seek an order for immediate protection of vulnerable adults.

**DECISION MAKING MEETING ONLY, NO ORAL TESTIMONY WILL BE ACCEPTED.**

**Persons wishing to submit written testimony may do so up to 24 hours prior to the hearing.**

Click [here](#) to submit testimony to the Senate Committee on Judiciary and Labor.

**FOR AMENDED NOTICES:** Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

If you require auxiliary aids or services to participate in the public hearing process (i.e. ASL or foreign language interpreter, or wheelchair accessibility), please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-7344.

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Senator Gilbert S.C. Keith-Agaran  
Chair

