

THE SENATE
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2017

COMMITTEE ON JUDICIARY AND LABOR

Senator Gilbert S.C. Keith-Agaran, Chair
Senator Karl Rhoads, Vice Chair

NOTICE OF DECISION MAKING

DATE: Monday, February 27, 2017
TIME: 10:00 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:

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|---|--|-----------------|
| <p><u>SB 394</u>
(SSCR92)
Status & Testimony</p> | <p>RELATING TO REAL ESTATE BROKERS.
Creates criminal penalties for real estate brokers for improper deposit, segregation, or disposition of client trust account funds. Requires the principal broker to report the client trust account number and name of the managing institution to the real estate commission. Specifies that the principal broker must report changes in the account number and account location within ten days of a change. Authorizes the real estate commission to take action in circuit court to enforce client trust account requirements.</p> | <p>CPH, JDL</p> |
| <p><u>SB 396</u>
(SSCR38)
Status & Testimony</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.</p> | <p>CPH, JDL</p> |
| <p><u>SB 1227</u>
(SSCR216)
Status & Testimony</p> | <p>RELATING TO FORECLOSURES.
Makes permanent the affirmation requirement and form that is filed by an attorney on behalf of a mortgagee who is seeking to foreclose on a residential property under a judicial foreclosure action. Repeals the affirmation requirement of an attorney who files a complaint in a mortgage foreclosure action that would have been effective on 07/01/2017.</p> | <p>CPH, JDL</p> |



<p><u>SB 518, SD1</u> <u>(SSCR57)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO INTIMATE PARTNER VIOLENCE. Requires barber, beauty operator, and instructor licensees under the board of barbering and cosmetology to complete a one-time, three-hour training program on intimate partner violence awareness and education. (SD1)</p>	<p>CPH, JDL</p>
<p><u>SB 997</u> <u>(SSCR213)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO THE UNIFORM CONTROLLED SUBSTANCES ACT. Updates chapter 329, Hawaii Revised Statutes, to include emergency scheduling as required under section 329-11 incorporating amendments made to the federal Controlled Substance Act.</p>	<p>CPH, JDL</p>
<p><u>SB 134</u> <u>(SSCR180)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO THE UNIVERSITY OF HAWAII. Prohibits smoking and tobacco use, including the use of electronic smoking devices, by any person on the premises of the University of Hawaii.</p>	<p>CPH/HRE, JDL</p>
<p><u>SB 949, SD1</u> <u>(SSCR164)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO MONEY TRANSMITTERS. Clarifies chapter 489D, Hawaii Revised Statutes, including requirements for money transmitter license and change in control applications, criminal background checks, security devices, permissible investments, records, and voluntary surrender of license. Amends definitions of "outstanding payment instrument", "person" and "principal". Repeals definition of "key shareholder".</p>	<p>CPH, JDL</p>
<p><u>SB 893, SD1</u> <u>(SSCR220)</u> <u>Status &</u> <u>Testimony</u></p>	<p>RELATING TO NONPROFIT CORPORATIONS. Amends the nonprofit corporations law to: restore procedures that allow nonprofit corporations to convert into and out of domestic nonprofit corporations; impose a duty of loyalty on directors and officers of nonprofit corporations; prohibit a director from voting on any matter in which the director has a conflict; and increase the length of time the attorney general has to review proposed dissolutions of public benefit corporations. Effective 07/01/2050. (SD1)</p>	<p>CPH, JDL</p>



SB 894, SD1

(SSCR257)

**Status &
Testimony**

RELATING TO CHARITABLE ORGANIZATIONS.

CPH, JDL

Defines "property" as used in section 28-5.2, Hawaii Revised Statutes, regarding protection of charitable assets. Requires certain disclosures on collection bins for donated clothing and household items by for-profit and nonprofit organizations, authorizes an officer or an agent to file an initial registration statement for a charity, requires notice to the Attorney General and specifies a procedure when a charity seeks deactivation from registration, authorizes the Attorney General to require electronic signature for financial reports filed by professional solicitors, clarifies what is being certified by the electronic signature and therefore subject to section 710-1063, Hawaii Revised Statutes, regarding penalties for unsworn statements shall apply, allows charitable organizations that file an IRS Form 990-PF to file annual reports with the Attorney General on the same schedule as charities that file an IRS Form 990 or 990EZ, repeals obsolete and updates references to accrediting organizations, and clarifies that the exemption from registration for organizations that support educational institutions is a separate exemption from that of the educational institutions themselves.

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 written 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.

Senator Gilbert S.C. Keith-Agaran
Chair

