

HOUSE OF REPRESENTATIVES  
THE TWENTY-NINTH LEGISLATURE  
REGULAR SESSION OF 2018

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COMMITTEE ON CONSUMER PROTECTION & COMMERCE

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Rep. Linda Ichiyama, Vice Chair

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HOUSE OF  
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Rep. Aaron Ling Johanson      Rep. Ryan I. Yamane  
Rep. Matthew S. LoPresti      Rep. Bob McDermott  
Rep. John M. Mizuno

NOTICE OF HEARING

DATE:      Wednesday, March 14, 2018  
TIME:      2:00 PM  
PLACE:     Conference Room 329  
             State Capitol  
             415 South Beretania Street

A G E N D A

SB 208, SD2  
(SSCR2598)  
Status

RELATING TO UNCLAIMED LIFE INSURANCE BENEFITS.  
Adopts the National Conference of Insurance Legislators' Model Unclaimed Life Insurance Benefits Act, which requires life insurers to conduct database searches using the federal Social Security Administration's death master file or similar database to determine whether an insured has died. Requires life insurers to use good faith efforts to locate any beneficiaries to a policy, contract, or retained asset account. Authorizes the insurance commissioner to use discretion to limit, exempt, or phase-in compliance with requirements under certain circumstances. Effective 1/1/2019. (SD2)

CPC, FIN

SB 270, SD1  
(SSCR2550)  
Status

RELATING TO MINORS.  
Prohibits specific state-licensed persons who are licensed to provide professional counseling from engaging in, attempting to engage in, or advertising sexual orientation change efforts on persons under eighteen years of age. (SD1)

CPC, JUD

SB 815, SD2  
(SSCR2599)  
Status

RELATING TO REAL ESTATE DISCLOSURE.  
Requires disclosure of albizia trees and associated risks in a disclosure statement as part of the sale or transfer of residential real property. (SD2)

CPC, FIN

SB 2060, SD2  
(SSCR2766)  
Status

RELATING TO CONDOMINIUMS.  
Expands the scope of the condominium education trust fund to cover voluntary binding arbitration between interested parties. Amends the conditions that mandate mediation and exceptions to mandatory mediation. Makes conforming amendments. Effective 7/1/2050. (SD2)

CPC, FIN



<u>SB 2493, SD2</u> <u>(SSCR2733)</u> <u>Status</u>	RELATING TO INSURANCE. Delays the implementation of the producer licensing requirements amended by Act 152, Session Laws of Hawaii 2017, until January 1, 2020. Effective upon approval. (SD2)	CPC, FIN
<u>SB 2643, SD1</u> <u>(SSCR2552)</u> <u>Status</u>	RELATING TO INSURANCE. Permits an insurer to send a privacy notice every five years, if the relationship between the insurer and a customer is renewed annually or less than annually and the insurer has not changed its policies and practices regarding disseminating customers' nonpublic personal financial information to nonaffiliated third parties. Requires an insurer to provide an additional privacy notice upon renewal of a relationship between an insurer and a customer that lasts longer than a year. Requires an insurer that changes its policies and practices to send an additional notice to customers after the change to the policies and practices. Effective 7/1/2050. (SD1)	CPC, FIN
<u>SB 2710, SD1</u> <u>(SSCR2553)</u> <u>Status</u>	RELATING TO INTOXICATING LIQUOR. Permits brewpub and small craft producer pub licensees to allow minors, who are accompanied by a parent or legal guardian of legal drinking age, on the licensee's premises until 10:00 p.m. (SD1)	CPC, JUD
<u>SB 2738, SD1</u> <u>(SSCR2838)</u> <u>Status</u>	RELATING TO FOUND ELECTRONIC DEVICES. Clarifies that found electronic devices that may contain personal information shall be sanitized before they are provided to finders or disposed of by public auction or other means. (SD1)	CPC, JUD
<u>SB 2748, SD2</u> <u>(SSCR2847)</u> <u>Status</u>	RELATING TO CHARITABLE ORGANIZATIONS. Amends the State's charitable solicitations law by: substituting the term "total revenue" for the term "gross revenue" and the term "total receipts" for the term "gross receipts"; clarifying when professional solicitors must file financial reports; clarifying when commercial co-venturers must provide a charitable organization with an accounting and the benefit of a charitable sales promotion; eliminating the requirement for certain charitable organizations to submit an audit report; and making housekeeping amendments. (SD2)	CPC, FIN
<u>SB 2770, SD1</u> <u>(SSCR2535)</u> <u>Status</u>	RELATING TO HEALTH CLUBS. Requires health clubs to maintain a surety bond of at least \$100,000 to be paid to any member who suffers loss of money paid due to the insolvency or cessation of operation of a health club. Effective 1/1/2019. (SD1)	CPC, FIN



SB 2774, SD1  
(SSCR2540)  
Status

RELATING TO INSURANCE.

CPC, FIN

Updates various areas of the State's insurance laws to: adopt the NAIC's Corporate Governance Annual Disclosure Model Act beginning on 1/1/2020; allow the department of commerce and consumer affairs and the insurance commissioner to determine whether a request to add or change a trade name or assumed name satisfies certain requirements; clarify certain provider reimbursement requirements; adopt revisions to the Insurance Holding Company System Regulatory Act beginning on 1/1/2020; provide the insurance commissioner with additional regulatory authority to supervise or liquidate a captive insurer; enable the insurance division to create stopgap measures, until 12/31/2020, to implement the Network Adequacy Model Act; change notice requirements and recordkeeping obligations for vehicle protection product warrantors and service contract providers; and make various housekeeping amendments to clarify existing language and avoid ambiguities. (SD1)

SB 2938, SD1  
(SSCR2531)  
Status

RELATING TO INSURANCE REGULATORY VARIANCE.

CPC, FIN

Permits the insurance commissioner to approve applications for no action letters, waivers, or variances with respect to specific requirements of the insurance code or its rules when certain conditions are met. (SD1)

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing. Testimony should indicate:

- Testifier's name with position/title and organization;
- The Committee(s) to which the comments are directed;
- The date and time of the hearing; and
- Measure number.

While every effort will be made to incorporate all testimony received, materials received on the day of the hearing or improperly identified or directed, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 5 copies (including an original) to Room 327 in the State Capitol;

FAX: For testimony less than 5 pages in length, transmit to 808-586-6221 (Oahu) or 1-800-535-3859 (for Neighbor Islander without a computer to submit testimony through e-mail or the Web); or

WEB: For testimony less than 20MB in size, transmit from <http://www.capitol.hawaii.gov/submittestimony.aspx>.

Testimony submitted will be placed on the legislative website. This public posting of testimony on the website should be considered when including personal information in your testimony.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6325 or email your request for an interpreter to [HouseInterpreter@Capitol.hawaii.gov](mailto:HouseInterpreter@Capitol.hawaii.gov) at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.



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Rep. Roy M. Takumi  
Chair

