

STAND. COM. REP. NO.

1431

Honolulu, Hawaii

MAR 20 , 2019

RE: S.B. No. 552
S.D. 1
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 552, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CONDOMINIUMS,"

begs leave to report as follows:

The purpose of this measure is to extend the safe harbor provisions found in section 45 of Act 181, Session Laws of Hawaii 2017, until July 1, 2020, to provide sufficient time for condominium property regimes to update their developer's public reports. Act 181 addresses requirements for developer's public reports for condominium property regimes that were issued an effective date pursuant to the now-repealed sections 514A-40 and 514A-41, Hawaii Revised Statutes, and formerly regulated pursuant to chapter 514A, Hawaii Revised Statutes. This measure also clarifies that sales of time share interests shall be permitted regardless of compliance with requirements to conform developer's public reports and related documents pursuant to Act 181.

The Real Estate Commission, Associa, American Resort Development Association Hawaii, and a few individuals submitted testimony in support of this measure.

SB552 HD1 HSCR CPC HMS 2019-3019-1



Your Committee has amended this measure to conform to the language and structure of its companion measure H.B. No. 811, H.D.2. Your Committee has further amended this measure by:

- (1) Changing its effective date to July 1, 2050, to facilitate further discussion; and
- (2) Making technical, nonsubstantive amendments for 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. 552, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 552, S.D. 1, H.D. 1, and be referred to your Committee on Judiciary.

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



ROY M. TAKUMI, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 552, SD1	Committee Referral: CPC, JUD	Date: 3/12/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	X			
2. ICHIYAMA, Linda (VC)				X
3. AQUINO, Henry J.C.	X			
4. BELATTI, Della Au				X
5. CABANILLA ARAKAWA, Rida	X			
6. CACHOLA, Romy M.	X			
7. HAR, Sharon E.	X			
8. KONG, Sam Satoru	X			
9. MIZUNO, John M.	X			
10. ONISHI, Richard H.K.	X			
11. MATSUMOTO, Lauren	X			
TOTAL (11)	9			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. _____ committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				