

STAND. COM. REP. NO.

1655

Honolulu, Hawaii

APR 07 , 2021

RE: S.B. No. 329  
S.D. 1  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 329, 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:

- (1) Shorten the notice period from sixty days to thirty days for a board of directors of a condominium association to sell, store, donate, or dispose of personalty when the identity and address of the owner are known; and
- (2) Eliminate the requirement that a condominium association first advertise the sale, donation, or disposition of personalty abandoned in or on the common elements of a condominium project when the identity and address of the owner are unknown, and instead allow the association to proceed directly to sell, store, donate, or dispose of the personalty and keep the proceeds.

Your Committee received testimony in support of this measure from Associa, Palehua Townhouse Association, Hawaii Council of Associations of Apartment Owners, Board of Directors of the



Honolulu Tower AOA, Community Associations Institute Legislative Action Committee, and eight individuals.

Your Committee finds that personalty may be left in common areas of a condominium by residents, their visitors, or other third parties. When the owner of the personalty or the owner's address is not known, existing law requires a condominium association to first advertise the sale, donation, or disposition at least once in a daily paper of general circulation. Your Committee further finds that this requirement is unnecessarily burdensome to condominium associations and increases the costs associated with the operation of condominiums. This measure reduces some of obstacles condominium boards face when disposing of abandoned or unwanted property.

Your Committee has amended this measure by changing the effective date to January 1, 2050, to encourage further discussion.

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. 329, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 329, S.D. 1, H.D. 1, and be placed on the calendar for Third Reading.

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

  
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AARON LING JOHANSON, Chair



