

STAND. COM. REP. NO. 3163

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 3333
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3333, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TRANSIENT VACATION UNITS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize any person to commence a civil action in District Court on that person's own behalf against any owner of a dwelling unit if the owner advertises, solicits, offers, or provides the dwelling unit as a transient vacation unit and the owner is not authorized by the applicable county to provide the unit as a transient vacation unit; and
- (2) Authorize the court to order a plaintiff to pay reasonable attorney fees when it determines that a claim is fraudulent or frivolous.

Your Committee received testimony in support of this measure from Keep It Kailua, Hawai'i Hotel Alliance, and five individuals. Your Committee received testimony in opposition to this measure from Oracle Bookkeeping & Finance Inc., Association of Apartment Owners of Inn on the Park, Rental By Owner Awareness Association, Airbnb, and eighty-two individuals. Your Committee received



comments on this measure from the Hawai'i Tourism Authority and one individual.

Your Committee finds that there should be more regulations and limitations on illegal short-term vacation rentals in the State. This measure would allow frustrated neighbors an opportunity to address operators of illegal transient vacation units in their neighborhoods.

Your Committee has amended this measure by:

- (1) Clarifying that no action may be commenced before sixty days after the potential plaintiff has given notice of the alleged violation to the owner; and
- (2) Inserting an effective date of July 30, 2075, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3333, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3333, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 3333, SDI	EET, JDC	03-03-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado				✓
LEE, Chris	✓			
FEVELLA, Kurt				✓
TOTAL	5	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes