

HOUSE OF REPRESENTATIVES
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2022

COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Aaron Ling Johanson, Chair
Rep. Lisa Kitagawa, Vice Chair

Rep. Henry J.C. Aquino Rep. Dee Morikawa
Rep. Sharon E. Har Rep. Richard H.K. Onishi
Rep. Mark J. Hashem Rep. David A. Tarnas
Rep. Sam Satoru Kong Rep. Lauren Matsumoto
Rep. John M. Mizuno

NOTICE OF HEARING

DATE: Thursday, February 3, 2022
TIME: 2:00 p.m.
PLACE: VIA VIDEOCONFERENCE
Conference Room 329
State Capitol
415 South Beretania Street

THE STATE CAPITOL IS CLOSED TO THE PUBLIC DURING THE ONGOING COVID-19 PANDEMIC

Please note that the committee members will participate remotely via videoconference.
Click [here](#) to submit testimony and to testify remotely.

A live stream link of all House Standing Committee meetings will be available online
shortly before the scheduled start time.

Click [here](#) for the live stream of this meeting via YouTube.
Click [here](#) for select hearings broadcast live on 'Ōlelo Community Media for cable TV.

A G E N D A

[HB 2272](#)
[Status](#)

RELATING TO CONDOMINIUM ASSOCIATIONS.
Permits sixty-seven per cent of unit owners to amend a condominium declaration. Requires developers to include annual reserve contributions based on a reserve study. Clarifies time and date requirements for petitions to amend bylaws and call for special meetings; electronic, machine, and mail voting during periods of emergency; time frame for approval of minutes; and board meeting participation. Requires a condominium association's reserve study to be performed by an independent, certified reserve specialist and prepared or updated at least every three years.

CPC



<u>HB 1583</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Requires condominium associations to allow members or their proxies to vote by mail and attend and cast votes in association meetings through the internet, teleconference, or other electronic transmission technology. Ensures the provision of copies of printed audit trails.	CPC
<u>HB 1651</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Amends the requirements for a condominium association's standard proxy form by deleting the option for a condominium owner to give the proxy to the board as a whole.	CPC
<u>HB 1781</u> <u>Status</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Establishes requirements for cumulative voting and the removal of directors of planned community associations. Exempts planned community associations from certain requirements regarding cumulative voting for and the removal of directors under the Hawaii Nonprofit Corporations Act.	CPC
<u>HB 1857</u> <u>Status</u>	RELATING TO CONDOMINIUM ASSOCIATIONS. Requires that the fees for attorneys retained by a condominium association be paid from an association's funds or reserves. Limits the total and final legal fees to twenty-five per cent of the original debt amount. Requires attorneys retained by a condominium association to confine their communications to the condominium board, except when the attorneys must request and require materials and responses directly from owners for each matter. Prohibits attorneys retained by a condominium association from billing unit owners directly.	CPC, FIN
<u>HB 2243</u> <u>Status</u>	RELATING TO CONDOMINIUMS. Requires buildings and structures to be maintained in a safe and sanitary condition. Requires devices and safeguards to be maintained in conformance with county building codes. Requires condominium associations or their designated agents to be responsible for the maintenance of the buildings and structures. Authorizes county building officials to require a building or structure to be reinspected.	CPC, FIN
<u>HB 1755</u> <u>Status</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Prohibits any planned community association from assessing a fine or requiring an architectural review for any security camera commercially available to the general public on the exterior of a member's or tenant's unit if installed for a certain duration or if installed by or on behalf of a previous member or tenant who occupied the unit. Authorizes a fine if the security camera is installed in a haphazard fashion.	CPC, JHA
<u>HB 1756</u> <u>Status</u>	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Prohibits any planned community association from assessing a fine or requiring an architectural review for construction or installation work to the exterior of a member's or tenant's unit if performed more than three or more years ago or if performed by or on behalf of a previous owner of the unit, regardless of when the unit's construction or installation work was completed. Provides the association up to ninety days after a public report of a close of sale to assess any fines and enforce the findings of the architectural review, which, once enforced, shall not expire.	CPC, JHA



HB 1757 Status	RELATING TO PLANNED COMMUNITY ASSOCIATIONS. Prohibits planned community associations from prohibiting an owner or a sub-association from utilizing xeriscaping. Voids any provision in an association document that prohibits xeriscaping.	CPC, JHA
HB 1747 Status	RELATING TO THE STATE BUILDING CODE COUNCIL. Requires the state building code council to consult with building industry trade associations to gather cost data on the implementation of building codes or standards and calculate the financial impact of those codes and standards, including amortized utility costs, on the cost of single-family and multi-family homes built in the State. Requires the annual report to the governor to include the cost provided by building industry trade associations on each code and standard adopted by the council. Effective 1/1/2023.	CPC, FIN
HB 1784 Status	RELATING TO BUILDING INSPECTIONS. Requires periodic inspections of certain walls and appurtenances of buildings five or more stories in height.	CPC, FIN

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least **24 hours** prior to the hearing. Testimony received after this time will be stamped late and left to the discretion of the chair to consider. 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 not be processed.

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.

The chair may institute a per-testifier time limit.

Committees meeting in the morning must adjourn prior to the day's Floor Session. Therefore, due to time constraints, not all testifiers may be provided an opportunity to offer verbal comments. However, remote testifiers' written submissions will be considered by the committee.

Please refrain from profanity or uncivil behavior. Violations may result in ejection from the hearing without the ability to rejoin.

The House will not be responsible for bad connections on the testifier's end.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov.

The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e. interpretive services (oral or written) or ASL interpreter) or are unable to submit testimony via the website due to a disability, please contact the committee clerk at least 24 hours prior to the hearing so that arrangements can be made.

Click [here](#) for a complete list of House Guidelines for public testimony.

FOR AMENDED NOTICES: Measures that have been deleted are stricken through and measures that have been added are bolded.

For more information, please contact the Committee Clerk at 586-9470.



Rep. Aaron Ling Johanson
Chair

