

STAND. COM. REP. NO.

847

Honolulu, Hawaii

MAR 02 , 2023

RE: H.B. No. 12
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 12, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TIME SHARING,"

begs leave to report as follows:

The purpose of this measure is to clarify that a developer is responsible for ensuring that the use of time share units located out of the State complies with zoning and land use laws and rules of the jurisdiction where the time share units are located but is not required to submit evidence of such compliance to register in Hawaii.

Your Committee received testimony in support of this measure from the American Resort Development Association - Hawaii, Marriott Vacations Worldwide Corporation, and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs.

Your Committee finds that for time share plans located out-of-state, the Department of Commerce and Consumer Affairs requires evidence that the out-of-state property is in an area properly zoned to allow time share use in the property. However, this has been difficult for developers to comply with as jurisdictions are not uniform in their zoning regulations and governmental processes, particularly for out-of-state properties located in

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foreign countries. This measure will make the registration process of time share projects more efficient and less costly by requiring projects to be in properly zoned areas but not requiring documentation.

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 H.B. No. 12, H.D. 1, and recommends that it pass Third Reading.

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



MARK M. NAKASHIMA, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: <i>HB 12 HD1</i>	Committee Referral: <i>TOU, CPC</i>	Date: <i>02-22-23</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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. NAKASHIMA, Mark M. (C)	/			
2. SAYAMA, Jackson D. (VC)	/			
3. AMATO, Terez				/
4. BELATTI, Della Au				/
5. HASHEM, Mark J.	/			
6. HUSSEY-BURDICK, Natalia	/			
7. GATES, Cedric Asuega	/			
8. LOWEN, Nicole E.	/			
9. ONISHI, Richard H.K.				/
10. TAM, Adrian K.	/			
11. PIERICK, Elijah		/		
TOTAL (11)	7	1		3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature:				
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