

STAND. COM. REP. NO.

390

Honolulu, Hawaii

FEB 14

, 2023

RE: H.B. No. 15  
H.D. 2

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

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 15, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY LIENS,"

begs leave to report as follows:

The purpose of this measure is to authorize the State and counties to:

- (1) Place liens on real properties for unpaid civil fines resulting from violations of land use laws; and
- (2) Subject to adoption of appropriate and particular laws or rules establishing the power of sale, sell properties after all notices, orders, and appeal proceedings, if any, are exhausted and use those revenues to pay unpaid civil fines related to the property.

Your Committee received testimony in support of this measure from the Department of Land and Natural Resources, one member of the Honolulu City Council, and Department of Planning and Permitting of the City and County of Honolulu.

Your Committee finds that authorizing the counties to collect on liens filed on properties through a non-judicial foreclosure process provides some leverage over property owners to comply or

2023-1575 HB15 HD2 HSCR HMSO



lose their property. If a property owner fails to comply and the property is foreclosed upon, this measure would enable the property to be put to productive use, allow liens attached to the property to be satisfied, and stop the accrual of additional debt or taxes on the property. This measure addresses the need of the counties to bring closure to pending civil fines imposed on property owners who are in violation of land use laws, ordinances, or rules.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 15, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 15, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: <b>HB 15, HD 1</b>	Committee Referral: <b>WAL, JHA, FIN</b>	Date: <b>2/9/2023</b>		
<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)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. TAKAYAMA, Gregg (VC)	✓			
3. GANADEN, Sonny	✓			
4. HOLT, Daniel	✓			
5. HASHIMOTO, Troy N.	✓			
6. ICHIYAMA, Linda	✓			
7. ILAGAN, Greggor	✓			
8. KONG, Sam Satoru	✓			
9. MIZUNO, John M.	✓			
10. SOUZA, Kanani	✓			
<b>TOTAL (10)</b>	<b>10</b>	-	-	-
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: <i>Greggor Ilagan</i>				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				