

STAND. COM. REP. NO. 3675

Honolulu, Hawaii

APR 05 2024

RE: H.B. No. 2317
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 2317, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Clarify that the deadline for proxy votes to be delivered to the secretary of a planned community association or the managing agent for association meetings is 4:30 p.m. Hawaii-Aleutian Standard Time; and
- (2) With respect to statements of owners requesting nomination to boards of directors that accompany notices of intent to distribute proxies by the board, specify that the statements are not to exceed one single-sided eight and one-half inches by eleven inches page.

Your Committee received testimony in support of this measure from the Hawai'i State Association of Parliamentarians; Palehua Townhouse Association; Hawaii First Realty LLC; Law Offices of Mark K. McKellar, LLC; and thirteen individuals.



Your Committee received testimony in opposition to this measure from one individual.

Your Committee received comments on this measure from two individuals.

Your Committee finds that, under existing law, planned community associations are allowed to limit the statements of owners who request a nomination to the board of directors to one hundred words. However, your Committee finds that this one-hundred-word limitation may not be sufficient to allow a person requesting a nomination to the board to appropriately convey their qualifications to other owners. Therefore, this measure repeals the one-hundred-word limitation, but maintains the requirement that the statement shall not exceed one single-sided eight and one-half inches by eleven inches page or one hundred kilobytes, if the board's notice of intent to distribute proxies states that a longer statement shall be available on the Internet.

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

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2317, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2317, H.D. 1, S.D. 1, and be placed on the calendar for Third Reading.

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



JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:
HB2317 HDI	CPN	3/28/24

The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"				✓
AWA, Brenton			✓	
TOTAL	3		1	1

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:
Carol Fukunaga

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*Only one measure per Record of Votes