

STAND. COM. REP. NO.

2566

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 2566
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 Government Operations, to which was referred S.B. No. 2566 entitled:

"A BILL FOR AN ACT RELATING TO INFRASTRUCTURE MAINTENANCE IN HOUSING SUBDIVISIONS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Extend the reporting date for the working group established pursuant to Act 200, Session Laws of Hawaii 2022, to examine and address housing subdivision infrastructure repair and maintenance for planned housing subdivisions that do not have compulsory homeowner associations in certain counties from before the Regular Session of 2024 to before the Regular Session of 2025; and
- (2) Extend the sunset date of the working group to June 30, 2025.

Prior to the hearing on this measure, your Committee posted and made available for public review a proposed S.D. 1, which inserts language to:



- (1) Require lot owners to pay for the repair and maintenance of subdivision roads where the applicable deed does not specify that requirement;
- (2) Authorize counties to assess and collect fees for repair and maintenance of subdivision roads if no court-appointed or deed-designated entity is appointed;
- (3) Require counties to provide training to associations on their responsibilities, services for certain subdivision assessments, and arbitration and mediation services to resolve disputes between a lot owner and the entity responsible for assessment; and
- (4) Restrict application of the foregoing provisions to counties with a population greater than two hundred thousand, but not more than five hundred thousand.

Your Committee received testimony in support of this measure on the proposed S.D. 1 from one member of the Maui County Council and five individuals.

Your Committee finds that the maintenance of the State's infrastructure is incredibly important. Your Committee also finds that maintenance of infrastructure in certain counties has been neglected in some areas and is currently being wholly supported by volunteer and community driven efforts. This measure will allow the working group additional time to examine this issue, while allowing for maintenance and repair of subdivision roadways that may otherwise fall into despair.

Your Committee has amended this measure by:

- (1) Adopting the proposed SD1; and
- (2) 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 Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2566, as amended herein, and recommends that it pass



Second Reading in the form attached hereto as S.B. No. 2566,
S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Government
Operations,



ANGUS L.K. MCKELVEY, Chair



