

STAND. COM. REP. NO.

1568

Honolulu, Hawaii

MAR 24

, 2023

RE: S.B. No. 463
S.D. 2
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 S.B. No. 463, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO PROPERTY DEVELOPMENT,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require each county to adopt, no later than June 30, 2024, ordinances applicable to subdivisions not approved by July 1, 2024, requiring as a condition of approval, the subdivider or developer to obtain a street address and install a mailbox for lots, parcels, structures, or units of a structure within the subdivision before the sale or lease thereof;
- (2) Require condominium maps recorded in the Bureau of Conveyances or registered in the Land Court after June 30, 2024, to include a mailbox plan for the condominium property regime, showing the location of all mailboxes for all units in the regime; and
- (3) Require, prior to the sale of residential real property, the disclosure as to the existence of a United States Postal Service deliverable mailbox for the property.

2023-2897 SB463 HD1 HSCR HMSO



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Your Committee received testimony in opposition to this measure from one member of the Maui County Council. Your Committee received comments on this measure from the Real Estate Commission, Department of Planning and Permitting of the City and County of Honolulu, and Hawai'i Association of REALTORS.

Your Committee finds that United States Post Offices in certain areas cannot meet the demands of those areas. This measure requires a developer to adequately plan for mail service and requires notice to potential buyers of real property of the lack of mail service for a particular property.

Your Committee notes the concerns raised by the Department of Planning and Permitting of the City and County of Honolulu regarding the unintended consequences of this measure and the potential jurisdictional issue regarding the erection and installation of mailboxes without the input of the United States Postal Service.

Accordingly, your Committee has amended this measure by:

- (1) Specifying that the mandatory mailbox requirement under this measure applies to subdivisions comprising ten or more lots or condominium projects comprising ten or more dwelling or lodging units;
- (2) Requiring, before the sale or least of any lot, parcel, structure, or unit of a structure located within the subdivision, that the subdivider or developer obtain the United States Postal Service's approval to erect and install a mailbox;
- (3) Deleting the severability clause; and
- (4) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 463, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B.



No. 463, S.D. 2, H.D. 1, and be referred to your Committee on Finance.

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

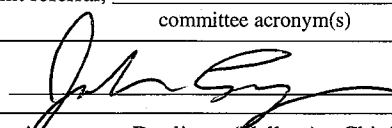

MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-second Legislature

HSR 1568

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB 463 SD2	Committee Referral: CPC, FIN	Date: 03-22-23		
<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)				
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)	8		1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				