

THE SENATE  
KA 'AHA KENEKOA

THE THIRTY-SECOND LEGISLATURE  
REGULAR SESSION OF 2024

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair  
Senator Carol Fukunaga, Vice Chair

NOTICE OF HEARING

DATE: Tuesday, February 6, 2024  
TIME: 9:30 AM  
PLACE: Conference Room 229 & Videoconference  
State Capitol  
415 South Beretania Street

PHOTO ID REQUIRED FOR ENTRANCE TO THE STATE CAPITOL  
BUILDING HOURS: 7AM TO 5PM, MONDAY - FRIDAY

*The Legislature is accepting written, videoconference, and in-person testimony at public hearings.*  
A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

A G E N D A

**SB 3205**

[Status &  
Testimony](#)

RELATING TO CONDOMINIUM ASSOCIATIONS.  
Establishes the Ombudsman's Office for condominium associations within the Department of Commerce and Consumer Affairs. Establishes the Ombudsman's Office Special Fund. Requires condominium association board members to meet certain educational requirements through classes offered by the Ombudsman. Updates the Condominium Property Act to integrate the role and functions of the ombudsman's office for condominium associations. Appropriates funds for establishment of the Ombudsman's Office. Effective 1/1/2025.

CPN, WAM/JDC

**SB 2108**

[Status &  
Testimony](#)

RELATING TO RENEWABLE ENERGY TAX CREDITS.  
Allows a condominium association that claims a Renewable Energy Technologies Income Tax Credit under section 235-12.5, HRS, to transfer the credit, or a portion thereof, to another individual or corporate taxpayer that is not related to the condominium association for fair and reasonable consideration; requires the Director of the Department of Taxation to prepare forms necessary for the transfer of Renewable Energy Technologies Income Tax Credits. Provides that condominium association unit owners shall not be entitled to any apportionment or distribution of a transferred Renewable Energy Technologies Income Tax Credit when a condominium association transfers the tax credit.

CPN, WAM

<p><a href="#"><u>SB 2336</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CONDOMINIUMS. Requires that condominium renters who prevail in a lawsuit for a violation of the Residential Landlord-Tenant Code be awarded reasonable attorney's fees and costs and threefold damages. Requires the Real Estate Commission to establish a Condominium Association Board Oversight Task Force to ensure transparency and consistency in the management of condominiums. Requires a report to the Legislature. Dissolves the Task Force on an unspecified date.</p>	<p>CPN, JDC/WAM</p>
<p><a href="#"><u>SB 2404</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CONDOMINIUMS. Prohibits the use of proxies in condominium association voting. Requires associations to allow members to vote by mail and attend and cast votes in association meetings through internet, teleconference, or other electronic transmission technology. Requires associations to mail out paper ballots before any annual or other periodic election of board members.</p>	<p>CPN</p>
<p><a href="#"><u>SB 2493</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CONDOMINIUM ASSOCIATIONS. Requires that the fees for attorneys retained by a condominium association be paid from an association's funds or reserves, unless the fees incurred result from attempts to collect delinquent assessments against an individual unit owner. Limits the total and final legal fees to 25 per cent of the original debt amount. Requires attorneys retained by a condominium association to confine their communications to the condominium board, except when the attorneys must request and require materials and responses directly from owners for each matter. Prohibits attorneys retained by a condominium association from billing unit owners directly.</p>	<p>CPN, JDC</p>
<p><a href="#"><u>SB 2727</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CONDOMINIUMS. Allows high-rise residential condominium properties to be eligible for commercial property assessed financing.</p>	<p>CPN, WAM</p>
<p><a href="#"><u>SB 2600</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CONDOMINIUMS. Authorizes the use of electronic mail to deliver certain documents when purchasing a condominium.</p>	<p>CPN</p>
<p><a href="#"><u>SB 2532</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CRIME. Clarifies that the secured areas appurtenant to a multi-unit dwelling are included as dwellings for the purposes of prosecuting offenses under chapter 708, Hawaii Revised Statutes. Allows the owner of a multi-unit building or the condominium association to act as a complainant for the purpose of investigating and prosecuting a burglary in the first degree in a multi-unit building.</p>	<p>CPN, JDC</p>
<p><a href="#"><u>SB 2534</u></a> <a href="#"><u>Status &amp; Testimony</u></a></p>	<p>RELATING TO CONDOMINIUMS. Prohibits a condominium unit owner, resident, tenant, or their guests, or any person acting on behalf of the unit owner, from harassing or interfering with board members, managing agents, resident managers, association employees, or vendors contracted by the association, in the performance of any duty or in the exercise of any right or power granted under chapter 514B, HRS, or the governing documents of the association.</p>	<p>CPN, JDC</p>

**SB 2548**

[Status & Testimony](#)

RELATING TO CONDOMINIUMS.

Requires employees, applicants, and contracted vendors of condominium associations in employment positions that grant access to security cameras and footage to undergo a background check and be licensed consistent with the requirements in chapter 463, HRS.

CPN, JDC

**SB 2726**

[Status & Testimony](#)

RELATING TO CONDOMINIUMS.

Requires the Legislative Reference Bureau to conduct a study on how certain other states approach the following subjects as they relate to condominiums: an ombudsman, licenses for management, alternate dispute resolution, governmental regulation, owner education, and owner access to documents. Appropriates moneys. Declares that the appropriation exceeds the state general fund expenditure ceiling for 2024-2025.

CPN, WAM

Decision Making to follow, if time permits.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

Please go to the Legislature's website, [www.capitol.hawaii.gov](http://www.capitol.hawaii.gov), to submit **written testimony at least 48 hours prior to the hearing**. Create a free account on the website, or sign in to an existing account, then click on the "Participate" drop down menu and select the "Submit Testimony" option to get started. While submitting your written testimony, you will be prompted to indicate if you would also like to testify at the hearing in-person or remotely via videoconference.

Please note the following:

- The number of oral testifiers and/or time allotted to each testifier may be limited by the Chair when necessary to adhere to the committee hearing schedule. We may not be able to accommodate everyone who requests to testify orally.
- Testifiers for this hearing will be limited to **2 minutes** each.

If you wish to **testify via videoconference** during the hearing, please review the detailed step-by-step instructions for testimony procedures before you submit your written testimony. Here's a direct link to the instructions: <https://capitol.hawaii.gov/docs/testimonyinstructions.pdf>

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or [par@capitol.hawaii.gov](mailto:par@capitol.hawaii.gov). You can also visit their website at <https://lrb.hawaii.gov/par/>.

For special assistance: The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e., interpretive services (oral or written) or ASL interpreter), or are unable to submit testimony via the website due to a disability, please contact the committee at [CPNcommittee@capitol.hawaii.gov](mailto:CPNcommittee@capitol.hawaii.gov) at least 24 hours prior to the hearing.

For amended notices: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808)-587-7215.

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Senator Jarrett Keohokalole  
Chair