

CONFERENCE COMMITTEE REP. NO. 41

Honolulu, Hawaii

, 2025

APR 24

RE: H.B. No. 420
H.D. 3
S.D. 2
C.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 420, H.D. 3, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO REMEDIES,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend the procedures and limitations for resolving disputes regarding construction defects. Specifically, this measure:

- (1) With respect to the statute of limitation and repose for actions for damages based on construction defects:
 - (A) Clarifies that the statute applies to actions based in contract, tort, statute, or otherwise;
 - (B) Repeals the two-year limitation on actions;

2025-3392 HB420 CD1 HCCR HMSO



- (C) Specifies that the statute shall not be construed to extend any shorter period of limitation in any other limitations statute; and
 - (D) Clarifies when improvements are deemed substantially complete; and
- (2) With respect to the procedures under the Contractor Repair Act:
- (A) Clarifies the required contents of a notice of claim of a construction defect served on a contractor and specifies that certain evidence may need to be provided with the notice of claim;
 - (B) Clarifies a claimant's obligations when a contractor proposes to inspect the premises of the alleged construction defect;
 - (C) Specifies the timeframe for when inspections and testing must be completed;
 - (D) Clarifies the procedures for accepting an offer to repair;
 - (E) Specifies mediation requirements; and
 - (F) Clarifies the exception to the statute of limitations under the Contractor Repair Act.

Your Committee on Conference has amended this measure by:

- (1) Changing the effective date to upon approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 420, H.D. 3, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 420, H.D. 3, S.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE SENATE



BARRETT KEOHOKALOLE
Chair



KARL RHOADS
Co-Chair

ON THE PART OF THE HOUSE



LUKE A. EVSLIN
Co-Chair



SCOT Z. MATHMOSHI
Co-Chair



DAVID A. TARNAS
Co-Chair



