STAND. COM. REP. NO. 7664

Honolulu, Hawaii

MAR - 3 2006

RE: S.B. No. 2470

S.D. 1

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Housing, to which was referred S.B. No. 2470 entitled:

"A BILL FOR AN ACT RELATING TO LANDLORD-TENANT CODE,"

begs leave to report as follows:

The purpose of this measure is to require a landlord to include the landlord's general excise tax number of the first page of a rental agreement entered into with a tenant.

Testimony in support of this measure was submitted by the Office of Consumer Protection of the Department of Commerce and Consumer Affairs and by the Department of Taxation. Testimony in opposition to this measure was submitted by the Hawaii Association of Realtors.

Your Committee finds that this measure would facilitate implementation of current Hawaii law that requires landlords to provide their taxpayer identification number to all tenants for the purpose of filing for a low-income tax credit. Your Committee further finds that this measure will promote the processing of the low-income tax credit for eligible taxpayers and reduce unnecessary inconvenience to tenants who attempt to secure the identification number after the written rental agreement is entered into by the landlord and tenants.

Your Committee has amended this measure by amending the reference of "general excise tax number" to "Hawaii tax identification number" to comport with the current language



adopted by the Department of Taxation as reported in its announcement No. 2004-16. Your Committee has also amended this measure by changing the effective date from "upon approval" to "December 31, 2006" and providing that this measure shall apply to written rental agreements entered into on or after December 31, 2006. This change will allow the Hawaii Association of Realtors' Standard Forms Committee adequate time to implement the new requirement.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Housing that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2470, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2470, S.D. 1, and be placed on the calendar for Third Reading.

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

BON MENOR. Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Commerce, Consumer Protection and Housing (Bills and Resolutions)

| Measure:* SB 2470 | Committee Referral: | | Date: 2 - 23 - 06 | | |
|--|---|---------------------|-------------------|------------------|--|
| The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: | | | | | |
| The Recommendation is to: | | | | | |
| Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313) | | | | | |
| Members | | Ayes | Ayes(WR) | Nays | Excused |
| MENOR, Ron (C) | *************************************** | | | ii | 1 |
| BAKER, Rosalyn H. (VC) | n Ary. | | | | " . |
| ESPERO, Will C. | | | | | |
| IGE, David Y. | | | · · · | | |
| SAKAMOTO, Norman HOGUE, Bob | | | | | |
| HOGOE, BOD | | <u>a v .</u> | <u> </u> | | |
| 1000 mg | | | | · · · · · · | |
| | tota Lei | | · | | 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 |
| | | : : : | | 1 ./ <u>1</u> | 4.5 |
| | | | | | |
| | # | | | es es | |
| | | | · : | : | ·> |
| TOTAL | | 5 | | _ | / |
| Recommendation: Adopted Not Adopted | | | | | |
| Chair's or Designee's Signature: Rossly H Cake | | | | | |
| Distribution: V Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy | | | | | |

^{*}Do <u>not</u> list more than one measure per Record of Votes.