STAND. COM. REP. NO. 2043

Honolulu, Hawaii

Fob. 14

, 2006

RE:

S.B. No. 3067

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. 3067 entitled:

"A BILL FOR AN ACT RELATING TO PLANNED COMMUNITY ASSOCIATIONS,"

begs leave to report as follows:

The purpose of this measure is to establish that, in the case of a voluntary conveyance, the grantee of a unit in a planned community association is jointly and severally liable with the grantor for all unpaid assessments against the grantor up to the time of the grant or conveyance.

Your Committee received testimony in support of this measure from the Community Associations Institute-Hawaii Chapter, Mililani Town Association, and one individual.

This measure establishes joint and several liability between the grantee and grantor of a unit in a voluntary conveyance of the unit and gives the grantee the right to recover from the grantor the amounts paid by the grantee. This measure protects planned community associations from the loss of assessments, and buyers from having a lien for unpaid assessments encumbering the property after closing.

Your Committee has amended this measure by making technical, nonsubstantive amendments for clarity and style.



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. 3067, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3067, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

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

RON 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 3067	Committee Referral:		Date:	Date: 2 - 7-06	
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 (2312) (2311) (2310)				Recommit (2313)	
Members		Ayes	Ayes(WR)	Nays	Excused
MENOR, Ron (C)					· · ·
BAKER, Rosalyn H. (VC)					
ESPERO, Will C.					
IGE, David Y.					
SAKAMOTO, Norman					
HOGUE, Bob					44.2
		<u> </u>		:	
		, aru		a jak j	
			3.71.0		
	· · · · · · · · · · · · · · · · · · ·				
	· . · · · ·				
The state of the s					
TOTAL		4	_		2
Recommendation: Adopted Not Adopted					
Chair's or Designee's Signature: Kasaly H Baker					
Distribution:OriginalYellowPinkGoldenrodFile with Committee ReportClerk's OfficeDrafting AgencyCommittee File Copy					

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