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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE DIVISION OF FINANCIAL INSTITUTIONS OF THE  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVIEW  
CHAPTER 449, HAWAII REVISED STATUTES, RELATING TO ESCROW  
DEPOSITORIES.

1           WHEREAS, 11 escrow companies are registered and doing  
2 business in the State of Hawaii; and

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4           WHEREAS, according to a report from the Bureau of  
5 Conveyances, more than 478,504 real estate closings were  
6 recorded in the state in fiscal year 2006-2007, with revenues  
7 over \$124,000,000; and

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9           WHEREAS, escrow companies play a significant and critical  
10 part in Hawaii's real estate and housing industry; and

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12           WHEREAS, escrow companies vary in size from three to 150  
13 employees and collectively generate more than \$124,000,000 in  
14 revenue for the state, and therefore have varying financial  
15 capabilities; and

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17           WHEREAS, it is important to the health of Hawaii's economy  
18 to ensure the well-being of Hawaii's small businesses and treat  
19 both small and large escrow companies in a fair and equitable  
20 manner; and

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22           WHEREAS, the Division of Financial Institutions (DFI) of  
23 the Department of Commerce and Consumer Affairs (DCCA) possesses  
24 the requisite subject matter knowledge and expertise and has  
25 expressed an interest in revising chapter 449, Hawaii Revised  
26 Statutes, which regulates Hawaii's escrow depositories; now,  
27 therefore,



1 BE IT RESOLVED by the House of Representatives of the  
2 Twenty-fourth Legislature of the State of Hawaii, Regular  
3 Session of 2007, the Senate concurring, that DFI of DCCA is  
4 requested to review other states' escrow depository regulations  
5 to provide a comparative basis for analyzing Hawaii's escrow  
6 depository requirements under chapter 449, Hawaii Revised  
7 Statutes; and

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9 BE IT FURTHER RESOLVED that DFI is urged to consult with  
10 both large and small escrow companies to determine the overall  
11 interests of the industry; and

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13 BE IT FURTHER RESOLVED that DFI is requested to report its  
14 findings and recommendations, along with any proposed  
15 legislation, to the Legislature no later than 20 days prior to  
16 the convening of the 2008 Regular Session; and

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18 BE IT FURTHER RESOLVED that certified copies of this  
19 Concurrent Resolution be transmitted to the Governor, the  
20 Director of Commerce and Consumer Affairs, and the Commissioner  
21 of Financial Institutions, who, in turn, is requested to  
22 transmit a copy of this Concurrent Resolution to the President  
23 or Executive Director of each escrow company doing business in  
24 the State of Hawaii.

