STAND. COM. REP. NO. 777

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1241

S.D. 2

Honorable Colleen Hanabusa President of the Senate Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

## Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 1241, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REAL PROPERTY TRANSACTIONS," begs leave to report as follows:

The purpose of this measure is to prohibit a deed restriction or covenant that requires the payment of a transfer fee to a specified private party every time a property is sold or transferred.

Your Committee finds that some real estate developers charge transfer fees that require a payment to the developer every time a property is sold or transferred from one owner to the next. of these fees are unrelated to any legitimate purpose and serve only to enrich the developer. Your Committee finds that there is presently no regulation of these fees, no limitation on their application, and no accountability or oversight of the recipients.

Your Committee has amended this measure by making technical, nonsubstantive amendments.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1241, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1241, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Government Operations,

BRIAN T. TANIGUCHI, Chair

## The Senate Twenty-Fifth Legislature State of Hawaii

## Record of Votes Committee on Judiciary and Government Operations JGO

Bill / Resolution No.:*	Committee Referral:		'	Date:	
8B 1241, 8P1	CPN, Tho			3/5/2009	
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Ауе	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)		\ \ /			
TAKAMINE, Dwight Y. (VC)					
BUNDA, Robert		<b>✓</b>			
GABBARD, Mike					
NISHIHARA, Clarence K.		<b>V</b>	month of the control		
SLOM, Sam					
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<b>5</b>					
TOTAL		5	0	0	1
Recommendation:  Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes