STAND. COM. REP. NO. 709 -12

Honolulu, Hawaii

March 2 , 2012

RE: H.B. No. 518 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 518, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ACCESS TO REAL PROPERTY,"

begs leave to report as follows:

The purpose of this measure is to protect purchasers of residential and agricultural real property by requiring the seller or the seller's agent to disclose to the buyer in writing the existence of any specified access that burdens or may burden the property.

The Hawaii Association of REALTORS and two individuals supported this bill. The Land Use Research Foundation of Hawaii opposed this measure.

Your Committee has amended this measure by:

- (1) Requiring that the disclosure be prepared in good faith and with due care in accordance with established law;
- (2) Changing its effective date to July 1, 3000, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 518, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 518, H.D. 2.

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

OBERT N. HERKES. Chair

HECR 709-12

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 518 HD1	Committee Referral: HSO,AGR	Date:	/22/12	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	V			
2. YAMANE, Ryan I. (VC)				
3. BROWER, Tom	V_{ℓ}			
4. CABANILLA, Rida T.R.	- V			
5. CARROLL, Mele				
6. COFFMAN, Denny				V
7. ITO, Ken	V			
8. KEITH-AGARAN, Gilbert S.C.				
9. LUKE, Sylvia	- V			
10. McKELVEY, Angus L.K.		-		
11. SOUKI, Joseph M.	V			
12. TSUJI, Clift				_
13. CHING, Corinne W.L.				
14. MARUMOTO, Barbara C.		· V		
15. THIELEN, Cynthia				
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TOTAL (15)	13	/ /	0	/ /
The recommendation is: Adopted	d Not Adopte	4		
If joint referral,				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) - HMSO				